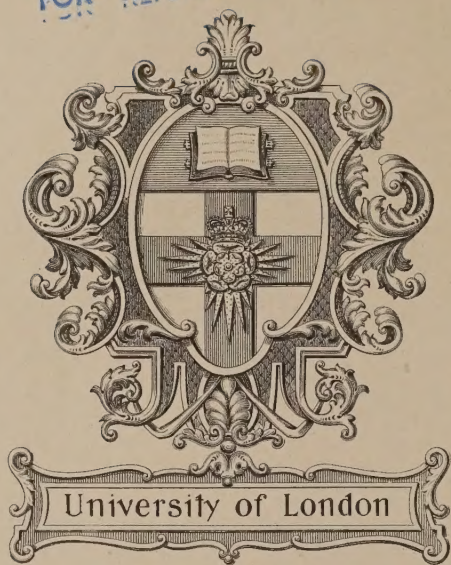


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ACCOUNTS AND PAPERS:

TWENTY-EIGHT VOLUMES.

—(10.)—

EMIGRATION;

CONVICT DISCIPLINE AND TRANSPORTATION.

Session

12 *December* 1854 — 14 *August* 1855.

VOL. XXXIX.

1854-55.



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1854-55.

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AUSTRALIAN COLONIES (in continuation of Parliamentary Paper, No. 436,
of last Session).”

Colonial Office, }
6 February 1855. }

FREDERICK PEEL.

(*Mr. Peel.*)

Ordered, by The House of Commons, to be Printed,
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NEW SOUTH WALES.

NEW
SOUTH WALES

Despatches from Governor-General Sir C. A. FitzRoy.

— No. 1. —

(No. 15.)

COPY of a DESPATCH from Governor-General Sir *C. A. FitzRoy* to the Duke of *Newcastle*.

Government House, Sydney, 25 January 1854.
(Received, 25 May 1854.)

My Lord Duke, (Answered, 28 June 1854, No. 5, p. 25.)

WITH reference to my despatch of the 16th September last, No. 159,* transmitting a petition addressed to the Queen from certain inhabitants of Moreton Bay, praying Her Majesty to order that a due proportion of emigrants might be sent to that district; I have now the honour to forward the copy of a memorial which I have received, signed by 170 stockholders, landholders, and others interested in the supply of labour to the northern districts, requesting that such steps may be taken as will ensure the expenditure of not less than 25,000 *l.* out of the 100,000 *l.* remitted to the Emigration Commissioners, in direct emigration to Moreton Bay, at the rate of one ship every month.

2. The recommendation of the Legislative Council as to the expenditure of the 100,000 *l.* in question was, that not fewer than four ships should be despatched to the colony in each month. The total number of ships, therefore, which the Commissioners will be able to provide with the 100,000 *l.* it is estimated will be 22; and, consequently, that the fund will be exhausted in four months and a half. Within this period three ships will be despatched to Moreton Bay, that is, one in each alternate month, the cost of which, at the high estimate of 4,500 *l.* for each ship, will amount to 14,000 *l.*

3. Anticipating, however, that the demand for labour in the northern districts of the colony is likely to increase with the increasing occupation of the country, I am induced to recommend, for your Grace's consideration, that the sum of 20,000 *l.* of the 100,000 *l.* already remitted to the Commissioners should be apportioned to the purposes of emigration to Moreton Bay; and that an additional 20,000 *l.* should be taken, as a proper apportionment for that district, of the further sum of 100,000 *l.* now about to be remitted to the Commissioners for emigration purposes, as reported in my despatch of the 4th instant (No. 2).†

4. Should your Grace concur in the arrangement which I have proposed, I have the honour to request that the necessary instructions may accordingly be given to the Commissioners.

I have, &c.
(signed) *Chas. A. FitzRoy.*

No. 1.
Governor-General
Sir C. A. FitzRoy
to the Duke of
Newcastle.
25 January 1854.

* Page 39 of Papers on "Australian Emigration," presented to Parliament by Her Majesty's Command, 8 April 1853.

† Page 46 of House of Commons Paper, No. 436, 2 August 1854, "Australian Emigration."

NEW
SOUTH WALES.

Encl. 1, in No. 1.

Enclosure 1, in No. 1.

Sir,

Brisbane, Moreton Bay, 28 October 1853.

I HAVE been requested by a number of the inhabitants of this district to transmit to you the accompanying petition, praying that the sum of 25,000*l.* may be appropriated to immigration to Moreton Bay, and I accordingly have the honour to enclose the document for presentation to his Excellency the Governor-general.

I have, &c.

(signed) J. Richardson,
Member of the Legislative Council.

The Honourable the Colonial Secretary,
Sydney.

Encl. 2, in No. 1.

Enclosure 2, in No. 1.

To his Excellency Sir *Charles Augustus FitzRoy*, Knight Commander of the Royal Hanoverian Guelphic Order, Captain-General and Governor-in-Chief of New South Wales, and Vice-Admiral of the same, and Governor-General of all Her Majesty's Australian Possessions,

May it please your Excellency,
The Memorial of the undersigned Stockholders, Landholders, and others interested in the supply of labour to the Northern Districts,

Showeth,

THAT the supply of labour to Moreton Bay, and the extensive country to the westward and northward thereof, has hitherto been far below the demand, and that the attractions held out to newly arrived immigrants by the southern gold fields cause a still further diminution in the labour available, and a constant drain of the working population from these districts. All necessary improvements are thus retarded, and vested interests in stock and land are placed in jeopardy through the causes stated.

That your memorialists observe with much satisfaction that your Excellency has agreed to the prayer of an address from the Legislative Council of the colony for the expenditure of 100,000*l.* sterling in immigration; and your memorialists earnestly submit to your Excellency the claims of these districts to one-fourth of the immigration so provided for, namely, the expenditure of at least 25,000*l.* sterling in direct immigration to the port of Moreton Bay, at the rate of one ship in each month. The sales of land in the Moreton Bay districts during the quarter ending 30th September 1853, will amount to about 12,000*l.* sterling, and the influx of population would have a natural tendency to increase the territorial revenue in proportion. And your Excellency's memorialists respectfully solicit particular attention to the fact, that one-half of the immigrants introduced would be likely to leave Moreton Bay for the gold fields, so that half of the amount prayed for would still go to benefit the southern districts, although ready employment for all the immigrants now prayed for could be found at Moreton Bay and in the contiguous districts.

That the great proportion of women and children forwarded hitherto to this port in immigrant ships has made the amount of available labour far beneath the apparent influx of population. Of nine immigrant ships which arrived in Moreton Bay between July 1852 and June 1853, bringing an aggregate addition of 2,846 souls to the population, only one-third may be considered as really calculated to supply the wants of employers. In the number above mentioned there were 2,060 women and children, and only 249 unmarried male adults; and instead of an equal number only of single women, the number received was 549, leaving an excess of 300 unmarried women over the number of unmarried men. It is most desirable that immigrants for these districts should be selected more in accordance with the wants of the place; and it would be no more than justice to balance these unequal numbers by forwarding 300 single men to Moreton Bay, in addition to those transmitted in due proportions in ships to be despatched to Moreton Bay every month.

Your memorialists, therefore, pray that such steps may be taken as will ensure the expenditure of 25,000*l.*, or such further sum as your Excellency may think fit, in direct immigration to the port of Moreton Bay, at the rate of one ship in every month.

And your Excellency's memorialists will ever pray, &c.

[Here follow the signatures of 170 stockholders, landholders, and others, resident in the districts of Moreton Bay, &c.]

Moreton Bay,
September 1853.

NEW
SOUTH WALES.

— No. 2. —

(No. 16.)

COPY of a DESPATCH from Governor-General Sir *C. A. FitzRoy* to the
Duke of *Newcastle*.

Government House, Sydney, 25 January 1854.

(Received, 25 May 1854.)

My Lord Duke,

IN pursuance of the intention expressed in the concluding paragraph of my despatch of the 4th instant, No. 2,* I do myself the honour to report that the further sum of 50,000 *l.* has been issued from the territorial revenue to Assistant Commissary-general Coxworthy, whose certificate will be transmitted by the Peninsular and Oriental Steam Navigation Company's steamer "Madras," sailing on the 26th instant for the overland mail, to the Colonial Land and Emigration Commissioners, to enable them, under your Grace's direction, to receive a corresponding sum from Her Majesty's Treasury on account of emigration to New South Wales.

I have, &c.

(signed) *Chas. A. FitzRoy.*No. 2.
Governor-General
Sir *C. A. FitzRoy*
to the Duke of
Newcastle.
25 January 1854.

— No. 3. —

(No. 41.)

COPY of a DESPATCH from Governor-General Sir *C. A. FitzRoy* to the
Duke of *Newcastle*.

Government House, Sydney, 28 February 1854.

(Received, 27 June 1854.)

My Lord Duke, (Answered, 26 August 1854, No. 33, p. 27.)

I HAVE the honour to state that the sum of 20,000 *l.*, appropriated to the introduction of continental labourers under the Regulations of 7th April 1847, a copy of which was transmitted to the Right honourable Earl Grey in my despatch of 20th April 1847, has been exhausted; and that I have received an application from Sir Charles Nicholson, Speaker of the Legislative Council, and other gentlemen, requesting that an additional sum of 20,000 *l.* may be sanctioned, in order that the importation of vine-dressers and labourers skilled in the culture of the olive and silk, under the Regulations referred to, may be continued.

2. I considered it proper to submit the application to the consideration of my Executive Council; and I have the honour to report, that, with the advice of the Council, and subject to your Grace's approval, I have sanctioned a further sum of 10,000 *l.* being made available to the purposes of this particular description of immigration. I am induced to believe that this sum will be sufficient for the purpose, from the fact that the former appropriation of 20,000 *l.* was exhausted only after the lapse of four years.

3. It has been necessary to revise the Regulations of April 1847, and to introduce a clause, providing for payment of bounty on account of children between the ages of one and fourteen years, in accordance with the recommendations of the Select Committee of the Legislative Council on the Assistant Emigrants' Act, under the provisions of which it is intended that the labourers referred to in the notice shall be introduced; I have the honour to enclose a copy of the revised Regulations, which, in other respects, are nearly similar to the Regulations of 1847.

I have, &c.

(signed) *Chas. A. FitzRoy.*

17 October 1853.

Enclosure

* Page 46 of House of Commons Paper, No. 436, 2 August 1854, "Australian Emigration."

NEW
SOUTH WALES.

Enclosure in No. 3.

Encl. in No. 3.

FOREIGN EMIGRATION.

Colonial Secretary's Office, Sydney, 17 October 1853.

WHEREAS by reason of the difference of climate and soil, many commodities producible in this colony, such as wine, oil, silk, &c., are not produced in the United Kingdom, and the skilled labourers requisite for their culture or manufacture cannot in consequence be obtained by the colony from the mother country; and whereas it is deemed expedient to afford to such of the colonists as may desire to employ their land and capital in the production of such commodities as aforesaid, the means of providing themselves with the required labourers from such foreign countries as can supply them; his Excellency the Governor-general directs it to be notified, that, subject to the approval of Her Majesty's Government, and under the conditions hereinafter mentioned, there will be granted to settlers who shall be at the charge of bringing into New South Wales, for their own services, emigrants from the Continent of Europe, a pecuniary aid or bounty at the following rates:—

(1.)—For a married man and his wife, neither of whose ages shall exceed on embarkation 50 years, 36 £.

(2.)—For each child, male or female, above the age of 14 years, for whose parents or either of them the foregoing bounty is allowed, 18 £.

(3.)—For each child, male or female, between the age of 1 and 14 years, for whose parents, or either of them the foregoing bounty is allowed, 9 £.

II. Before any payments are made under this Regulation, the immigrants on whose account they are claimed must present themselves before the Immigration or other Board appointed by the Governor-general to inspect them.

Each married man and each of his unmarried sons who shall have reached the age of 18 years must produce to the Board testimonials of good character, and of their being duly qualified for the particular employments which they have been brought to the colony to fill. These testimonials must be signed by clergymen and respectable inhabitants of note in the place of the immigrants' former residence, and authenticated by a certificate under the hand of the British Consul residing at or near such place.

Every individual for whom bounty is claimed must produce a certificate, showing his or her parents' Christian names and surnames, and the age of which he or she is known or reputed to be; and this certificate must be also authenticated by the British Consul.

Every individual for whom bounty is claimed must be indented to the person in whose favour the permission is granted, for a period of not less than two years, in accordance with the provisions of the 5th section of the Act of Council, 16 Vict., No. 42; and the employer of such emigrant so indented shall, on his arrival in the colony, pay to the Colonial Treasurer the amount provided in the Schedule hereunto annexed, to be paid on account of the passage of every such emigrant, and shall give security to the satisfaction of the immigration agent for the due payment within the specified time of the second moiety of such amount, and such indenture shall provide for the re-payment to the employer, in equal proportions, out of the wages to which every such immigrant shall be entitled during his first two years of service, of the said amounts, the payment of which shall have been so advanced or secured by such employer to the Government.

If the Board shall be satisfied with these documents, and that the persons presented before them are within the prescribed ages, of sound mind, of good bodily health and strength, and in all other respects likely to be useful members of their class in society, and that they have been placed under proper medical supervision during the voyage, and that due attention has been paid to the ventilation of the ship, and the moral conduct of the immigrants, and that they have been duly supplied during the voyage with a sufficiency of good and wholesome provisions and water, the latter in the proportion of at least three quarts per day for every emigrant, and with reasonably comfortable accommodation, a report to that effect will be made by the Immigration Board, and so soon thereafter as it shall be shown by the person bringing out the emigrants, that he has received them into his service, and that he has paid into the hands of the Colonial Treasurer the amount specified in the Schedule hereunto annexed, and has given security to the satisfaction of the agent for immigration for the due payment of the remainder at the expiration of 12 months from the date of the first payment, a warrant will be issued for the payment of the sum to which he shall be entitled under this notice.

III. Any settler desiring to avail himself of the bounties promised by this notice, must transmit to the Colonial Secretary, at Sydney, a list, specifying, as accurately as circumstances will permit, the number, condition, and calling of the persons whom he may propose to bring out. In no case will bounties be allowed, unless the claimant shall have made such application, and shall have received in reply an official intimation that (subject, as already stated, to the approval of Her Majesty's Government) bounties will be granted on the introduction of the persons described in his list. The document containing this intimation must be produced before the Board by the claimant, who will be required, at the same time, to prove to the satisfaction of the Board, that the immigrants have been imported in pursuance thereof. And in order to guard against the inconvenience of long outstanding claims against the Government, bounties will not be allowed unless the immigrants described

in the application shall be presented to the Board within two years after the date of the notification of acceptance by the Colonial Secretary.

NEW
SOUTH WALES

IV. To define the several descriptions of labourers for whom bounties will be allowed under this notice would be impossible, and an attempt to do so would be inconsistent with the object in view, which is to provide the supply of labour requisite for the progressive development of the capabilities of the soil as they may from time to time become further known. It may, however, be stated as a general rule, that the Government will limit the allowance of bounty to such labourers as are requisite for raising articles, the produce of the soil, and for bringing them into their simplest marketable shape. In illustration of this principle, the cases of wine and silk may be instanced. In the former bounties will be given for all descriptions of labourers necessary for the culture of the grape, and the manufacture and casking of the wine. In the latter case, bounties will be given for the labourers required for the production and preparation of the raw material, but not for its manufacture. Bounties will not be allowed under this notice for persons above the labouring class, such as overseers, nor for any labourers of a description obtainable from the mother country.

V. The fund available for the purposes of this notice being very limited, it must not be expected that the Government will be able at once to promise the payment of bounties, on every application which it may see no reason to disapprove. In any case, however, in which the Government may be restrained by no other cause than want of means from giving an immediate assent to an application, such application will be noted in the Colonial Secretary's Office, with a view to its being entertained in preference to others of a later date, whenever the requisite funds may be at the disposal of the Government.

VI. It is to be distinctly understood, that no quarantine or other expenses whatever attendant upon the introduction of emigrants under this notice, will be defrayed by Government, excepting the bounties hereinbefore mentioned.

VII. To prevent misapprehension and disappointment, and to ensure a rigid adherence to the principle of this Regulation, it is proper to state that the whole of the conditions thereby imposed will be strictly construed. Parties, therefore, who may introduce immigrants not qualified by age, calling, character, or otherwise, will do so entirely at their own risk, and will have no claim on the Government to obtain the bounties offered by the present notice.

By His Excellency's Command,

E. Deas Thomson.

SCHEDULE REFERRED TO.

SUMS required to be paid by the Holders of Permissions under the above Notice, to the Colonial Treasurer, on account of Emigrants introduced under such Permissions.

	On Arrival.	At the expiration of 12 Months from the Date of Arrival.
	£. s. d.	£. s. d.
For every male emigrant of the age of 14 years and upwards - - - - -	6 10 -	6 10 -
For every unmarried female of the age of 14 years and upwards - - - - -	6 10 -	6 10 -

No payment is to be required for the wives of the emigrants introduced under the above notice, or any of their children under the age of 14 years; but all children above that age are to be treated as adults, and payment required for them accordingly.

NEW SOUTH WALES.

Permission to Mr. _____ to import Labourers from the Continent of Europe, under the Notice of 17 October 1853.—Not transferable.

WHEREAS, on the 17th day of October 1853, a notice was issued by the authority of his Excellency the Governor-general of New South Wales, stating, that subject to the approval of Her Majesty's Government, and under certain conditions therein specified, there would be granted to settlers, who might be at the charge of bringing into New South Wales, for their own service, certain skilled labourers from the continent of Europe, a pecuniary aid or bounty at the following rates; that is to say—

(1).—For a married man and his wife, neither of whose ages shall exceed, on embarkation, 50 years, 36*l*.

NEW
TH WALES.

(2.)—For each child, male or female, above the age of 14 years, for whose parents, or either of them, the foregoing bounty is allowed, 18*l*.

(3.)—For each child, male or female, between the age of 1 and 14 years, for whose parents, or either of them, the foregoing bounty is allowed, 9*l*.

And whereas, in pursuance of the requirement contained in the third clouse of the said notice, has made application for a promise of bounties at the aforesaid rates on the introduction by him conformably to the provisions of the said notice, and his Excellency the Governor-general has been pleased to assent to the same, this is to certify that, subject to the approval of the Right honourable the Secretary of State for the Colonies, or the authorities by him empowered to act on his behalf in this matter, there will be granted to the said a bounty at the rate of 18*l* per head for

and a bounty at the rate of 9*l* per head on each child between the ages of 1 and 14 years, for whose parents, or either of them, the foregoing bounty of 18*l* is allowed; provided that there are not comprised in each family more than three children under the age of 10 years, or two children under the age of seven years; and provided further, that all persons in respect of whom such bounty shall be claimed, be landed in the colony within two years from the date hereof; and that a distinct and duly verified certificate of marriage be produced for each married couple, to the immigration agent at Sydney, and that each adult be indented to the said

in terms of the Act of Council, 16 Vict., No. 42.

And it is hereby further certified that, if before the arrival of the persons to be introduced under the authority hereof, the said

shall have died or become insolvent, then the said bounties shall be paid to his representatives, or to the owners of or agent for the ship in which the immigrants shall have been imported, according as the one or other of them shall hold this instrument; provided, however, that such bounties shall not be paid until the representatives of the said

, or the said shipowner or agent shall have first procured for the said labourers and their families, or the said labourers shall have themselves obtained satisfactory engagements in conformity with the object of the said Government notice, and that the payments of the amounts required to be made in accordance with the Schedule annexed to the said Government Notice, shall have been duly provided for to the satisfaction of the immigration agent.

By his Excellency's command,

Colonial Secretary.

Colonial Secretary's Office, Sydney.

— No. 4. —

(No. 46.)

COPY of a DESPATCH from Governor-General Sir *C. A. FitzRoy* to the Duke of Newcastle.

Government House, Sydney, 17 May 1854.

(Received, 8 August 1854.)

My Lord Duke,

I HAVE the honour to forward herewith the Quarterly Abstract Returns, prepared by the immigration agent in this colony, in the form directed by the Secretary of State's Circular Despatch of 11 March 1841, for the quarter ended on 31 December 1853.

I have, &c.

(signed) *Chas. A. FitzRoy.*

No. 4.
Governor-General
Sir *C. A. FitzRoy*
to the Duke of
Newcastle.
May 1854.

Enclosure in No. 4.

ABSTRACT QUARTERLY RETURNS.

IMMIGRANTS.

Months composing the Quarter, 1853.	Number of Emigrant Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Gross Number of Emigrants arrived.	* Number of Adult Labourers.	† Number of Labourers hired at the place of Landing.	‡ Number of Labourers who left the place of Landing.	Amount paid to assist them on their Journey.	Number of Agricultural Labourers.	Number of Shepherds.	Number of Domestic Servants.		Number of Mechanics engaged in erecting Buildings, or, in obtaining or preparing Building Materials.	Number of Tradespeople making or selling Articles of Consumption.		Number of Tradespeople engaged in making Articles of Clothing.		Number of other Mechanics, &c., not included in the foregoing Columns.
											M.	F.		M.	F.	M.	F.	
October -	1	1	2	405	280	257	23	£. s. d.	20	4	12	84	15	6	5	6	6	132
November -	3	12	19	788	411	408	3	1 8 9	83	3	4	130	29	5	-	4	5	138
December -	2	6	8	674	449	430	19	8 12 6	27	2	4	95	66	3	-	2	6	244
TOTALS -	6	19	29	1,867	1,140	1,095	45	32 11 3	130	9	20	309	110	14	5	12	17	514

* Not including the married females.

† That is, disposed of at the place of landing, not having gone thence at the public expense.

‡ Forwarded, at the public expense, to depots established in the interior.

§ All the Emigrants by the "Herefordshire," which arrived in this month, except one carpenter and five female domestic servants, were under engagement to the Sydney Railway Company.

14 March 1854.

(signed) H. H. Browne, Immigration Agent.

PRICES.

RETURN showing the Average Retail Price of Provisions and Clothing in the Colony of New South Wales, for the Quarter ended 31 December 1853.

ARTICLES OF CONSUMPTION.	AVERAGE PRICES.	ARTICLES OF CLOTHING AND BEDDING.	AVERAGE PRICES.
	£. s. d.		£. s. d.
Wheat - - - per bush.	- 9 -	Males' Clothing:	
Bread, first quality - - per lb.	- - 3½	Moleskin Jackets - - each.	- 10 6
Bread, second quality - - "	- - 2½	Moleskin Coats - - "	1 - -
Flour, first quality - - "	- - 3	Waistcoats - - "	- 6 -
Flour, second quality - - "	- - 2½	Moleskin Trousers - per pair.	- 8 6
Rice - - - "	- - 5	Flushing Trousers - - "	- 15 -
Oatmeal - - - "	- - 6	Coloured Shirts - - each.	- 8 6
Tea - - - "	- 4 4	Strong Boots - - per pair.	- 18 -
Sugar - - - "	- - 3½	Strong Shoes - - "	- 9 -
Coffee - - - "	1 3	Shepherds' Coats - - each.	1 5 -
Sago - - - "	- - 11	Socks - - - per pair.	- - 10
Meat, fresh - - - "	- - 5	Handkerchiefs - - each.	- 1 -
Meat, salted - - - "	- - 4	Straw Hats - - - "	- 6 -
Butter, fresh - - - "	- 2 -	Females' Clothing:	
Butter, salt - - - "	- 1 6	Print Dresses - - each.	- 7 -
Cheese, English - - - "	- 1 6	Merino Dresses - - "	- 12 -
Cheese, colonial - - - "	- - 8	Flannel Petticoats - - "	- 5 -
Salt - - - "	- - 1½	Calico Petticoats - - "	- 3 -
Potatoes - - - per cwt.	1 - -	Stockings - - - per pair.	- 1 8
Wine, colonial - - - per gall.	- 4 6	Shoes - - - "	- 6 -
Wine, imported - - - "	- 8 -	Caps - - - each.	- 2 6
Brandy - - - "	1 3 -	Shawls - - - "	- 10 6
Beer, colonial - - - "	- 2 -	Shifts - - - "	- 2 6
Beer, imported - - - "	- 3 -	Stays - - - per pair.	- 6 -
Candles - - - per lb.	- - 6	Check Aprons - - each.	- 1 6
Lamp Oil - - - per gall.	- 5 -	Straw Bonnets - - "	- 5 -
Soap - - - per lb.	- - 6	Flannel - - - per yard.	- 1 6
Starch - - - "	- 1 -	Calico - - - "	- - 7
Blue - - - "	- 2 -	Bedding:	
Tobacco, colonial - - - "	- 4 -	Blankets - - - per pair.	- 18 -
Tobacco, imported - - - "	- 6 -	Sheeting Calico - - per yard.	- 1 2
		Mattresses - - - each.	- 8 6
		Rugs - - - "	- 5 -

These prices are the averages of the prices paid throughout the colony, and not the Sydney prices, which, for all imported articles, are of course considerably lower.

WAGES.

RETURN showing the Average Wages of Mechanics and others in the Colony of *New South Wales*, for the Quarter ended 31 December 1853.

TRADE OR CALLING.	Average Wages per Diem, without Board and Lodging.	Average Wages per Diem, with Board and Lodging.	Average Wages per Annum, with Board and Lodging.	Highest and Lowest Rates per Diem, without Board or Lodging.	
				Highest.	Lowest.
Males :	£. s. d.		Sterling.	£. s. d.	£. s. d.
Carpenters - {Town -	- 14 -	- - -	Since the discovery of the gold fields, mechanics, as well as other labourers, are unwilling to enter into any engagements of a permanent character.	- 17 -	- 11 -
- {Country -	- - -	- - -		- - -	- - -
Smiths - {Town -	- 14 -	- - -		- 18 -	- 10 -
- {Country -	- - -	- - -		- - -	- - -
Wheelwrights - {Town -	1 - -	- - -		1 5 -	- 15 -
- {Country -	- - -	- - -		- - -	- - -
Bricklayers - {Town -	1 - -	- - -	30 l. to 35 l.*	1 2 -	- 18 -
- {Country -	- - -	- - -		- - -	- - -
Masons - {Town -	1 1 -	- - -	25 l. to 30 l.	1 5 -	- 19 -
- {Country -	- - -	- - -		- - -	- - -
Farm Labourers - - -	- - -	- - -		- - -	- - -
Shepherds - - -	- - -	- - -		- - -	- - -
Females :					
Cooks (plain) - - -	- - -	- - -	25 l. to 30 l.	- - -	- - -
Housemaids - - -	- - -	- - -	18 l. to 25 l.	- - -	- - -
Laundresses - - -	- - -	- - -	20 l. to 25 l.	- - -	- - -
Nursemaids - - -	- - -	- - -	15 l. to 18 l.	- - -	- - -
General House Servants -	- - -	- - -	20 l. to 26 l.	- - -	- - -
Farm-house Servants, Dairy- women, &c. - - - }	- - -	- - -	† 17 l.	- - -	- - -

* In the case of the country labourers, the board and lodging consists of a dwelling, with a ration of 10 lbs. meat, 10 lbs. flour, 2 lbs. sugar, and 4 ounces tea, (or milk in lieu of sugar and tea) per week.

† The wives of farm labourers with families, do not receive this amount of money wages, as a sufficient quantity of food is generally allowed for the support of their children, and a corresponding deduction is of course made.

1. What is the expense of erecting a country dwelling suitable to an agricultural labourer ?

From 10 l. to 40 l., according to the materials, the locality, and the extent of accommodation ; but country labourers are provided with rent-free dwellings by their employers.

2. What is the rent of a town lodging suitable to a mechanic and his family ?

About 20 s. per week.

3. What funds have been placed at your disposal during the past quarter for the relief of immigrants ?

I have expended 32 l. 11 s. 3 d., as shown in No. 1 of these returns, in forwarding immigrants to Parramatta and Maitland ; and a further expenditure, amounting to 150 l. 2 s. 1 d. for the maintenance of female immigrants in the institution.

4. Is there any fund in the district for the relief of the destitute poor ?

There is no general fund for charitable institutions. See returns for quarter ended 31st December 1845.

5. State the description of labour which is in request in the district ?

Owing to the continued productiveness of the gold fields in this and the neighbouring colony of Victoria, every description of labour is in great request, and wages therefore still continue excessive.

6. Would

6. Would the rate of immigration of the last quarter satisfy the existing demand for labour?

No; there is a most urgent demand for labour now, in consequence of the number of the labouring classes who have left their ordinary avocations for the gold fields.

7. Could it be safely increased with reference to the supplies of food in the district?

The rate of immigration need not be limited from any doubts as to the sufficiency of the supplies of food.

8. State any particulars relative to immigration and the demand for labour which you think may be useful?

The male immigration to this colony should consist of farm labourers, shepherds, and mechanics; of those of the latter class, engaged in the erection of buildings, there is a very great scarcity. Female domestic servants are also most urgently required.

Immigration Office, Sydney, }
14 March 1854.

(signed) *H. H. Browne,*
Agent for Immigration.

— No. 5. —

(No. 48.)

COPY of a DESPATCH from Governor-General Sir *C. A. FitzRoy* to the Duke of *Newcastle*.

Government House, Sydney, 17 May 1854.
(Received, 8 August 1854.)

My Lord Duke,

I HAVE the honour to acknowledge the receipt of your Grace's circular despatch of the 23d March 1853,* enclosing a copy of a report from the Emigration Commissioners, proposing certain modifications in the regulations under which the inhabitants of this colony may remit money through Government agency for providing passages and outfit for their friends in the United Kingdom; and recommending, that as the rise in freights renders it desirable that the cost of passage should be estimated in the Regulations higher than has hitherto been the case, the sum of 20*l.* should be fixed for the full passage money.

2. In accordance with the suggestions contained in the report of the Commissioners, the Regulations referred to have been revised, under the advice of my Executive Council; and I transmit, for the information of your Grace, a copy of a notice, dated the 20th of January last, which I have caused to be issued here, including the modifications suggested, together with copies of the minutes of the Council, and of the reports of the agent for immigration at this place on the subject. Your Grace will, however, observe that, under the report of the latter, the sum of 15*l.* has been adopted as the estimated full passage-money.

I have, &c.

(signed) *Chas. A. FitzRoy.*

Enclosure 1, in No. 5.

IMMIGRATION REMITTANCES.

Colonial Secretary's Office, Sydney, 20 January 1854.

HIS Excellency the Governor-general, with the advice of the Executive Council, has been pleased to direct the publication of the following revised Regulations, for facilitating the remittance of any sums of money which persons settled in the colony may desire to send to their relatives or friends, or others in the United Kingdom, for the purpose of enabling them to emigrate to this colony:

1.—In Sidney, sums intended to be deposited in pursuance of these regulations will be received at the Colonial Treasury at any time during the usual official hours, on the production of a statement of the amount to be paid in from the agent for immigration, to whom application in the first instance should be made.

2.—In the country districts, the clerks of petty sessions throughout the colony will also receive sums intended to be deposited with them for a similar purpose on every public court day during the sitting of the court, but at no other time or place.

3.—The

No. 5.
Governor-General
Sir C. A. FitzRoy
to the Duke of
Newcastle.
17 May 1854.

5 September 1853.
1 November 1853.
16 August 1853.
22 October 1853.

Encl. 1, in No. 5.

* Page 277 of Papers on "Australian Emigration," presented to Parliament by Her Majesty's Command, 8 April 1853.

NEW
SOUTH WALES.

3.—The clerks of petty sessions on receiving any sums under this notice, will enter in the printed form annexed (Schedule A.), the name and address of the depositor, the name, age, calling, and residence of the person or persons in the United Kingdom for whose benefit the money is to be applied, and the names and residences of such persons of note as the depositors may refer to for the purpose of answering any inquiries which the Land and Emigration Commissioners may have to make; and will write at the foot of the same, receipts for the amounts paid into their hands. These forms will, in each case be filled up in triplicate, and the three copies having been certified by one or more of the magistrates present, one of them will be handed to the depositor, another will be forwarded with as little delay as possible to the agent of immigration, and the third will be retained as a record in the office of the clerk of petty sessions, who will also remit by the same post to the Colonial Treasurer the sums so received with a list of the same, made out in the form hereunto annexed. (Schedule B.)

4.—Passage certificates will be prepared by the agent of immigration, should the returns forwarded to him be found correct, on the report of the Colonial Treasurer of the receipt of the money deposited, and transmitted to the clerks of petty sessions to be delivered to the depositors. Similar certificates will also be issued by the agent for immigration on the production by the depositors of the Treasurer's receipt for sums paid in Sydney.

5.—The passage certificates it will be necessary for the depositors to forward to their friends or agents in the United Kingdom, and they must, in every case, be produced, within 12 months from their date, to the Land and Emigration Commissioners in London, who will provide passages to the colony for the parties named therein.

6.—In cases in which it may be expected that the parties intending to emigrate, may be enabled themselves to raise from their own resources, or by the assistance of others, a portion of their passage money, their friends in the colony may not consider it necessary to remit a sum sufficient to pay the whole cost of the passage. In all such instances, it must be understood that the Commissioners will only undertake to apply to the best advantage, for the benefit of the parties, such sums as may be furnished to them, either by remittances from the colony, or by contributions in the mother country, and not to provide passages in cases where the money placed in their hands is insufficient for the purpose. It must, however, be distinctly understood, that when once a payment is made by the Commissioners, on account of a remittance, under these regulations, the Government will not be liable to any further claim.

7.—In any case in which the amount remitted may exceed that required for the payment of the intending emigrant's passage, the balance will either be paid to the emigrant or returned to the person who made the remittance, according to the directions which may be given by the latter, but in order to prevent this arrangement being used for the purpose of making remittances unconnected with emigration, it is necessary to state, that the Commissioners will not undertake to make payments of money in England, to any persons but those for whom they have provided passages to this colony.

8.—For the information of persons who may desire to make remittances under these regulations, it is hereby notified, that the cost of a steerage passage to this colony will, for the purposes thereof, be estimated at 15 £. for each person of 14 years of age and upwards. For persons under the age of 14 years half price only is charged. The cost of outfit for the voyage, besides the expense of reaching the port of embarkation, is estimated as follows:—

	£.	s.	d.
For a single man, about	-	-	4 10 -
For a single woman	-	-	5 - -
For a married couple	-	-	9 - -

The cost of an outfit for children varies with their size. Generally speaking, three children under 7, or two between that age and 14, may be clothed for about 5 £.; but a well grown girl or boy of 13 years of age, will cost nearly as much as an adult.

9.—His Excellency the Governor-general, with the advice of the Executive Council, has further directed it to be notified, that residents in this country may secure a preference for such of their own relatives or friends as may be of the following description and otherwise qualified under the Commissioners' general regulations for free passages, by contributing and remitting, in the manner above provided for, the undermentioned sums, viz.: Agricultural labourers, shepherds, herdsmen, miners, and their families, and female domestic and farm servants—

	£.	s.	d.
For each person between 1 and 14 years of age	-	2 10	-
" " 14 and 40 "	-	5	-
" " 40 and 50 "	-	10	-
" " Above 50 "	-	15	-

A preference may in like manner be secured for other persons of the labouring classes, such as printers, pressmen, type-founders, blacksmiths, bricklayers, carpenters, masons, sawyers, wheelwrights, and gardeners, and their wives, also females of the working class, not being domestic or farm servants, on payment of the following sums:—

	£.	s.	d.
For each person between 1 and 14 years of age	-	5	-
" " 14 and 40 "	-	10	-
" " 40 and 50 "	-	12	-
" " Above 50 "	-	15	-

The remainder of the cost of the passage will be defrayed by the Government, but the expense of reaching the port of embarkation, as well as the cost of bedding and other articles required for the passage, must be paid by the emigrant.

10.—Passages will not be granted under these Regulations to children under 18 years of age, unless forming part of a family, or unless their parents be resident in the colony, or unless under special authority from the Governor-general.

11.—The full passage money, viz. 15 £., will be required for women, whose husbands are resident in the colony, but their children, if accompanying them will be allowed passages on payment of the sums which would be required under these Regulations for the children of persons following the same trades or callings as the parents of the children referred to.

12.—Persons emigrating in pursuance of these Regulations will be forwarded to the colony in Government emigrant vessels, and their arrival in Sydney will be duly notified in one or more of the public journals for the information of their relations and friends.

13.—No monies deposited in the Treasury, in pursuance of these regulations, can be refunded, until instructions to that effect are received in the colony, from the Colonial Land and Emigration Commissioners.

14.—These Regulations will take effect from the present date; and the Government Notice of the 7th January 1852, headed, "Emigration Remittances," is hereby cancelled, excepting with reference to applications already made under them.

By his Excellency's Command,

E. Deas Thomson.

SCHEDULE (A.)

No. District of
EMIGRATION REMITTANCE.

Description of the Person or Persons for whose benefit the Remittance is made.								
Christian Name and Surname at full length.	Age.	Whether Husband or Wife resident in the Colony.	Trade or Calling.	Where living, in Great Britain or Ireland.	Name and Address of some Person of Note, to whom Reference can be made respecting the Emigrants.	Proportion to be applied to Passage.	Proportion to be applied towards Outfit.	Total.
							*	

Received this day of 18 , from
of in this district, in the presence of A. B. and C. D., justices in petty
sessions assembled (or of A. B., acting singly, as the case may be), the sum of
pounds , (£) to be remitted to
the Colonial Land and Emigration Commissioners, for the purpose of being applied in the
provision of passages to this colony for the above described persons.

Clerk of Petty Sessions.

Certified to be correct.

_____, J. P.
_____, J. P.

* If more than one person's name be inserted in this certificate, it should be distinctly stated to whom the money is intended to be paid on account of outfit, and its further disposal in case of the death or absence of the person so named, should be also given.

NEW
SOUTH WALES. No.

SCHEDULE (B.)

District of
EMIGRATION REMITTANCE.

Description of the Person or Persons for whose benefit the Remittance is made.				
Christian Name and Surname at full length.	Age.	Trade or Calling.	Where living, in Great Britain or Ireland.	Names and Address of some Person of Note to whom Reference can be made respecting the intended Emigrants.

Received this day of , 18 , from
of , in this district, in the presence of A. B. and C. D., justices in
petty sessions assembled (or of A. B. acting singly, as the case may be), the sum of
pounds , (£.), to be remitted to the Colonial Land and Emigration
Commissioners, for the purpose of being applied in the provision of passages to this colony
for the above described persons.

Certified to be correct.

_____ , J. P.
_____ , J. P.

Clerk of Petty Sessions.

Encl. 2, in No. 5;

Enclosure 2, in No. 5.
NEW SOUTH WALES.

PROCEEDINGS of the Executive Council with respect to certain Modifications in the
Immigration Remittance Regulations.

EXTRACT from Minute No. 53/44, dated 5 September 1853.

Present:—His Excellency the Governor-General, the Honourable the Commander of the
Forces, the Honourable the Colonial Secretary, the Honourable the Attorney-general,
the Honourable the Colonial Treasurer, the Honourable the Auditor-general.

His Excellency the Governor-general lays before the Council a despatch from his Grace
the Duke of Newcastle, covering the copy of a communication from the Land and Emigra-
tion Commissioners, in which they recommend for adoption certain modifications in the
Immigration Remittance Regulations for this colony, with a view to simplify and render them
more efficient. His Excellency also lays before the Council a report from the immigration
agent, expressive of his entire concurrence in the suggestions of the Commissioners.

2. Having duly considered this matter, the Council advise that the Remittance Regula-
tions of 7th January 1852, founded on their recommendation of the 30th December 1851, be
modified in the following particulars, viz. :

1st. That a clause should be introduced into the Remittance Certificate, announcing that
when once a payment is made by the Commissioners on account of a remittance, the Govern-
ment will not be liable to any further claim.

2d. That a further clause should be introduced into the certificate, to the effect that
passages will not be granted to children under 18 years of age, unless forming part of a
family, or unless their parents be in the colony.

3d. That the cost of a steerage passage to the colony for adults should, for the pur-
poses of the Regulations, be estimated at 20*l.* instead of 12*l.* as at present, and that
the following be the amounts to be contributed by persons desiring to secure passages for
their relatives and friends, instead of those fixed in the 8th paragraph of the Regulations of
7th January 1852, namely :

First Class.										£.	s.	d.
Between 1 and 14 years	-	-	-	-	-	-	-	-	-	3	10	-
„ 14 and 40 years	-	-	-	-	-	-	-	-	-	7	-	-
„ 40 and 50 years	-	-	-	-	-	-	-	-	-	10	-	-
Above 50 years	-	-	-	-	-	-	-	-	-	20	-	-

Second

Second Class.							£.	s.	d.
Between 1 and 14 years	-	-	-	-	-	-	5	10	-
„ 14 and 40 years	-	-	-	-	-	-	10	-	-
„ 40 and 50 years	-	-	-	-	-	-	13	-	-
Above 50 years	-	-	-	-	-	-	20	-	-

4th. That the full cost of the passage should be required to be paid for women whose husbands are resident in the colony, but that their children, if accompanied by their mothers, should be allowed passages on payment of the sums which would be required under the Regulations (as now amended) for the children of persons following the same trades or callings as the parents of the children referred to.

(signed) *Michael Fitzpatrick*
Clerk of the Council.

Enclosure 3, in No. 5.

Encl. 3, in No.

EXTRACT from Minute No. 53/53, dated 1 November 1853.

Present:—His Excellency the Governor-General, the Honourable the Commander of the Forces, the Honourable the Colonial Secretary, the Honourable the Attorney-general, Honourable the Colonial Treasurer.

REFERRING to the proceedings on the 5th September last, with respect to certain modifications in the Immigration Remittance Regulations, his Excellency the Governor-general lays before the Council a letter from the immigration agent, in which he states that since his last communication of the 16th August last was made, recommending that the maximum rate of contribution towards the expense of a passage to this colony, under the Remittance Regulations should be fixed at 20*l.*, as suggested by the Secretary of State in his circular despatch of 23d March 1853, advices have been received from the Land and Emigration Commissioners of the chartering of several vessels for the conveyance of emigrants at a considerably reduced rate per statute adult.

2. Under these circumstances, and for the further reasons alleged in his letter, the immigration agent recommends that the full passage money should be fixed at 15*l.* instead of 20*l.*, and that the scale of contributions be altered accordingly.

3. The Council therefore advise, that in lieu of the recommendations on this head contained in their minute of the 5th September last, which has not yet been finally acted on, the cost of a steerage passage to the colony for adults should, for the purposes of the Remittance Regulations, be estimated at 15*l.*, and that the following be the amounts to be contributed by persons desirous of securing passages for their relatives and friends, instead of those fixed by the 8th paragraph of the Regulations of 7th January 1852, namely:

First Class.							£.	s.	d.
Between 1 and 14 years	-	-	-	-	-	-	2	10	-
„ 14 and 40 years	-	-	-	-	-	-	5	-	-
„ 40 and 50 years	-	-	-	-	-	-	10	-	-
Above 50 years	-	-	-	-	-	-	15	-	-

Second Class.							£.	s.	d.
Between 1 and 14 years	-	-	-	-	-	-	5	-	-
„ 14 and 40 years	-	-	-	-	-	-	10	-	-
„ 40 and 50 years	-	-	-	-	-	-	12	-	-
Above 50 years	-	-	-	-	-	-	15	-	-

4. In other respects the minute of 5th September will remain unaltered.

(signed) *Michael Fitzpatrick*,
Clerk of the Council.

Enclosure 4, in No. 5.

Encl. 4, in No.

The Agent for Immigration to the Colonial Secretary, returning the Secretary of State's Despatch respecting certain suggested alterations in the Remittance Regulations.

No. 53/299.

Sir,

Immigration Office, Sydney, 16 August 1853.

I do myself the honour to return to you herewith the Duke of Newcastle's circular despatch of the 23d March last, bringing under notice certain suggestions of the Colonial Land and Emigration Commissioners, with a view to simplify and render more efficient the present Remittance Regulations of this colony; and in accordance with the request contained in your blank cover communication on the same, I beg to submit the following report.

NEW SOUTH WALES. 2. The Commissioners in their report suggest that the remittance certificates at present in use should be amended in the following particulars :

1st. That a clause should be introduced into the certificate, announcing that when once a payment is made by the Commissioners on account of a remittance, Government will not be liable for any further claim.

2d. That a further clause should be introduced into the certificate, to the effect that passages will not be granted to children under 18 years of age, unless forming part of a family, or unless their parents be in the colony.

3. The Commissioners also bring under notice the expediency of revising the present scale of contributions required under the Regulations, which they consider to be desirable, not only on account of the great rise in the freights of vessels, but also on account of the increased facility with which money is obtained by the labouring classes in these colonies at present.

4. The Commissioners further suggest that the Land Fund ought not to be required to make any large contributions towards aiding the passages of women whose husbands are already in the colony, and they think, therefore, that such cases require special treatment.

5. I entirely concur in the views taken by the Commissioners, and I beg, therefore, to recommend that they should be carried out with as little delay as possible.

6. In my Report on Immigration for the past year I made special allusion to the low scale of contributions required to be made under the Regulations now in force; and I questioned whether, under the present peculiar circumstances of the colony, some addition to the passage-money should not be required from future depositors.

7. Freights are at present very high, in some instances double those current at the time when the Remittance Regulations were revised, and the amount, 12 *l.*, then fixed as the full cost of passage is evidently quite disproportioned to the present time.

8. Agreeing, however, as I do, with the Commissioners, that "the Remittance Regulations are calculated to effect a great deal of good, to conduce to a very healthy and desirable immigration, to promote habits of frugality and self-denial amongst the labouring classes of the colony, and to keep up an affectionate attachment between them and members of their families in England," I am indisposed to recommend any increase in the amounts to be contributed which would be likely to be the means of interfering with the efficient working of those Regulations, and I would beg to propose, therefore, that the full cost of passage should be now fixed at 20 *l.*, although the rates of passage paid by the Commissioners at present are above that sum, and that the following scale of contributions to be made by depositors should be substituted for that now in force.

First Class.

							£.	s.	d.
Between 1 and 14 years	-	-	-	-	-	-	3	10	-
„ 14 and 40 years	-	-	-	-	-	-	7	-	-
„ 40 and 50 years	-	-	-	-	-	-	10	-	-
Above 50 years	-	-	-	-	-	-	20	-	-

Second Class.

							£.	s.	d.
Between 1 and 14 years	-	-	-	-	-	-	5	10	-
„ 14 and 40 years	-	-	-	-	-	-	10	-	-
„ 40 and 50 years	-	-	-	-	-	-	13	-	-
Above 50 years	-	-	-	-	-	-	20	-	-

9. I would also beg to recommend, that at present full passage-money should be required for the passages of women whose husbands are residents in the colony, but that their children, if accompanied by their mothers, should be allowed passages on payment of the sums which would be required under the Regulations for the children of persons following the same trades or callings, as the parents of the children referred to.

I have, &c.
(signed) H. H. Browne.

encl. 5, in No. 5.

Enclosure 5, in No. 5.

THE Agent for Immigration to the Colonial Secretary relative to despatch from the Secretary of State, &c., respecting certain modifications in the Immigration Remittance Regulations of 7th January 1852.

No. 53/390.

Sir,

Immigration Office, Sydney, 22 October 1853.

WITH reference to your letter of the 30th ultimo, No. 53/280, transmitting with a despatch from the Secretary of State on the subject a copy of the minute of the Executive Council,

NEW
SOUTH WALES

Council, in which the particulars of the proposed modifications in respect to the Immigration Remittance Regulations are detailed, and requesting me to submit, in accordance therewith, a draft of revised Regulations for approval and publication in the *Government Gazette*, I do myself the honour to state, for the information of his Excellency the Governor-general, that since my communication of the 16th August last was made, recommending that the maximum rate of contribution under the Remittance Regulations should be fixed at 20 *l.*, as suggested by the Secretary of State, in his despatch above referred to, advices have been received from the Land and Emigration Commissioners of the charter of several vessels for the conveyance of emigrants at a considerably reduced rate per statute adult.

Such reduction having already taken place, I see no reason, now that the great excitement consequent on the first discovery of gold in this colony has passed away, why vessels should not be obtained for the future at a reasonable rate.

2. Under those circumstances and bearing in mind the great benefits which the colony is likely to derive from a successful working of the regulations, not only by the introduction of a useful class of emigrants, but also by the advantages it offers for the establishment of a partly self-supporting system of emigration, I venture again to submit these regulations for his Excellency's reconsideration, with a view to the full passage money being fixed at 15 *l.* instead of 20 *l.* as recommended in my former letter, and to the scale of contributions required to be made under the clause, being altered accordingly.

£. 15.
£. 20.

I have, &c.
(signed) *H. H. Browne.*

— No. 6. —

(No. 50.)

COPY of a DESPATCH from Governor-General Sir *C. A. Fitz Roy* to the Duke of Newcastle.

Government House, Sydney, 18 May 1854.

(Received, 8 August 1854.)

My Lord Duke,

No. 6.
Governor-General
Sir C. A. Fitz Roy
to the Duke of
Newcastle,
18 May 1854.

WITH reference to my despatch of the 14th September 1852, No. 157,* respecting the introduction of railway labourers for the Sydney Railway Company, I have the honour to state that I have received a copy of a minute of the Board of Directors of the Company, conveying a request that, in so far as the state of the revenue, and a due regard to the interests of other classes of employers will allow, the Company may be permitted to introduce into the colony, at the cost of the immigration fund, the labourers necessary for the continuous formation of the railway, such labourers to be engaged by the Company's agent in England, to be subject to the approval of the Colonial Land and Emigration Commissioners, and to be despatched, from time to time, as may be arranged between the Commissioners and the Company's agent, in parties not exceeding 40 each. It is further proposed, that the total number of men to be sent within any given period shall be regulated by the extent and terms of the outstanding permission for the introduction of labourers which shall have been granted by the local Government to the Company.

2. Having brought the subject before my Executive Council, I have the honour to report that, with the advice of the Council, I have sanctioned a compliance with the application of the Directors on the terms stated; the number of men so introduced to be regulated in the manner proposed by the Company, and on the understanding that the labourers brought out under this arrangement will be subject to all the regulations in force for the time being respecting immigrants provided with passages to the colony by the Commissioners.

I have, &c.
(signed) *Chas. A. Fitz Roy.*

— No. 7. —

* Page 38 of Papers on "Australian Emigration," presented to Parliament by Her Majesty's Command, 8 April 1853.

NEW
SOUTH WALES.No. 7.
Governor-General
C. A. FitzRoy
to the Duke of
Newcastle.
16 June 1854.

— No. 7. —

(No. 76.)

COPY of a DESPATCH from Governor-General Sir C. A. FitzRoy to the
Duke of Newcastle.Government House, Sydney, 16 June 1854.
(Received, 6 October 1854.)

My Lord Duke,

(Answered, 11 December 1854, No. 22, p. 38.)

I HAVE the honour to transmit the copy of a letter from Mr. H. H. Browne, the immigration agent under this Government, to the Colonial Secretary, applying, for the reasons therein stated, for an increase to his present amount of salary.

3 Sept. 1853.

100 with tempo-
gold increase
754 in addition.

2. I can have no hesitation in certifying to the zeal and ability with which Mr. Browne discharges the duties of his office, and to the truth of his statement, that those duties are far more onerous and responsible than they were in the year 1838, when the present amount of salary attached to the appointment was fixed, while the expenses of living have greatly increased; but I have not considered myself at liberty to accede to Mr. Browne's request without previously obtaining your Grace's sanction. Under all the circumstances of the case I think he is fairly entitled to an additional 200 *l.* a year to his present salary of 500 *l.*; and I beg to recommend this for favourable consideration.

3. It is right that I should call your Grace's attention to the fact that Mr. Browne's application is dated the 13th September last, at which time it was first brought before me; but by some oversight in the Colonial Secretary's office it was mislaid, and the copy of it, which I now transmit, was only forwarded to me a few days ago.

4. As it would not be just that Mr. Browne should suffer from this carelessness, I trust your Grace will approve of his increase of salary, if sanctioned, being paid to him from the date of his application.

I have, &c.
(signed) Chas. A. FitzRoy.

Enclosure in No. 7.

Enclosure in No. 7.

The Agent for Immigration to the Colonial Secretary, requesting an Increase to his Salary.

Sir,

Immigration Office, Sydney, 13 September 1853.

THE recent additions which have been made by the Government to the permanent salaries of some of the heads of the public departments in this colony induce me to bring under your notice, for the consideration of his Excellency the Governor-general, the inadequate rate of the permanent salary at present allowed by the Government to the officer at the head of this department, which is the same as that originally fixed on the appointment of Mr. Pinnock, in 1838.

2. The duties of the office were at that time of a much less onerous and responsible character than they are at present, as they were entirely confined to the supervision and disposal of immigrants introduced by the Government at the public expense.

3. They, however, gradually became enlarged in proportion to the increasing wants of the colony, and since my appointment, in 1851, they have still further increased, in consequence of the duties of immigration officer having been discharged by me in addition to those of agent for immigration.

4. His Excellency is, no doubt, aware, that during the last two years the amount of passenger traffic between this and the neighbouring colonies has been very considerable, and that it still continues to increase. The duties, therefore, which devolved on me as emigration officer, independent altogether of those connected with the Government immigration, have not only been unusually onerous and responsible, but in many cases excessively disagreeable, as no less than 431 vessels have, during that period, been inspected and passed by me.

5. This duty is not likely to decrease so long as the mania for gold digging continues, and as emigration to this colony from the mother-country, under the auspices of the Government, is likely to be still continued on a large scale, and the late Act of the Legislature will entail much additional care and responsibility on my office, I would respectfully submit that the
additional

additional duties required to be discharged by me in the double capacity of agent for immigration and emigration officer justify this application for an increase to my present salary; and I venture to express a hope, therefore, that his Excellency will be pleased to consider this application favourably, and sanction such an addition to my present fixed salary as will, in his opinion, place me in that position amongst the civil officers of the Government which the important and responsible duties of my office may appear to deserve.

NEW
SOUTH WALES.

The Honourable the Colonial Secretary.

I have, &c.
(signed) *H. H. Browne.*

— No. 8. —

(No. 94.)

COPY of a DESPATCH from Governor-General Sir *C. A. FitzRoy* to the Duke of Newcastle.

Government House, Sydney, 14 July 1854.
(Received, 6 October 1854.)

No. 8.
Governor-General
Sir *C. A. FitzRoy*
to the Duke of
Newcastle.
14 July 1854.

My Lord Duke,

IN my despatch of the 2d of January last, No. 1,* I apprised your Grace, with reference to the remittance to the Colonial Land and Emigration Commissioners of a further sum of 100,000*l.* for the service of emigration therein mentioned, that, from the prosperous condition of the Territorial Revenue, I should be enabled to forward that amount without increasing the debt already secured upon it. This was accordingly done, as notified in my despatches of the 4th and 25th of January 1854, Nos. 2* and 16;† but it has been considered desirable, in consequence of the advantageous terms on which Government debentures could be disposed of in Sydney, to raise on them a sum of 60,000*l.*, for the purpose of retiring others, which it was at the option of the Government to pay off, to about an equal amount.

† Page 3.

2. The notice calling for tenders for these debentures was similar to that transmitted in my despatch No. 122,‡ of the 6th October 1853, and I enclose, for the information of your Grace, a copy of the schedule of the offers received. The premium on the sum of 60,000*l.* accepted amounted to 746*l.* 5*s.*, being at the average rate of 1*l.* 4*s.* 10*50d.* per cent.

16 March 1854.

3. The debentures in the colony which have been liquidated amounted to 56,000*l.*, and a certificate of the receipt by the Deputy Commissary-general of the sum of 1,500*l.* has been transmitted to the Colonial Agent-general, to enable him to obtain from the British Treasury a like sum, to make payment, after giving due notice in the "London Gazette," of three debentures of 500*l.* each, forming a portion of those arranged to be paid off, which had been forwarded to England, making in the whole 57,500*l.*

4. The Auditor-general of this colony reported, in a letter of the 29th June 1853 (a copy of which accompanied my despatch of the 16th September 1853, No. 116),§ the debt secured by land and emigration debentures on the Territorial Revenue to be 267,500*l.*, which was increased by the 100,000*l.* afterwards raised on debentures, as stated in my despatches, No. 122, of the 6th of October, and No. 156,§ of the 28th of November 1853, to 367,500*l.*, and this sum was augmented to 427,500*l.* by the issue of the debentures for 60,000*l.*, as reported in this despatch; but by the liquidation of others to the extent of 57,500*l.*, this debt will be reduced to 370,000*l.*, as shown by the return herewith transmitted. Railway debentures for the loan to the Sydney Railway Company have also been issued to the extent of 150,000*l.*, making, with the land and emigration debentures, an amount of 520,000*l.* secured on the Territorial Revenue.

14 July 1854.

I have, &c.
(signed) *Chas. A. FitzRoy.*

* Pages 45 and 46 of House of Commons' Paper, No. 436, 2 August 1854, "Australian Emigration."

† Page 36, *ib.*

§ Page 26, *ib.*

NEW
SOUTH WALES.

Encl. 1, in No. 8.

Enclosure 1, in No. 8.

SCHEDULE of TENDERS received in pursuance of Public Advertisement, dated the 6th March 1854, and inserted in the Government Gazette, from the 7th March to the 14th March 1854, for Transferable and Remittable Land and Immigration Debentures, to the amount of 60,000*l.*, which Tenders were opened in the presence of the undersigned, on Thursday, the 16th March 1854.

Number of Tender.	Name of Party Tendering.	Amount Tendered for.	Amount offered for each 100 <i>l.</i> in Debenture.	REMARKS.
		<i>£. s. d.</i>	<i>£. s. d.</i>	
1	Alex. Warren - - - - -	3,000 - -	105 10 -	
2	J. S. Mitchell, as Secretary to the Sydney Fire Insurance Com- pany - - - - -	3,000 - -	101 12 6	
3	A. B. Ottley, as Manager of the Australian Joint Stock Bank -	30,000 - -	101 7 6	
4	William Dawes, as Trustee, and George Miller, as Managing Trustee of the Sydney Savings Bank - - - - -	60,000 - -	100 10 -	
5	John Taylor, as Manager of the Commercial Bank, Sydney -	20,000 - -	100 2 6	
6	R. Garrett, as Secretary to the New South Wales Marine Assurance Company - - -	2,500 - -	100 - -	
7	John Reeve - - - - -	2,000 - -	100 - -	

We recommend that the following Tenders be accepted.

	<i>£. s. d.</i>
Alex. Warren, to the amount of - - - - -	3,000 - -
J. S. Mitchell, to the amount of - - - - -	3,000 - -
A. B. Ottley, to the amount of - - - - -	30,000 - -
Wm. Dawes and George Miller, to the extent of - - -	24,000 - -
TOTAL - - - <i>£.</i>	60,000 - -

Colonial Secretary's Office, Sydney, }
16 March 1854.

(signed) *C. D. Riddell.*
Francis L. S. Merewether.
John Stirling.
H. H. Browne.

Approved, in the absence of the Governor-General,

(signed) *C. D. Riddell.*

Enclosure 2, in No. 8.

RETURN of all Land and Immigration Debentures, now Outstanding, and bearing Interest at the Rates of $2\frac{1}{2}$ d. and $3\frac{1}{2}$ d. per 100*l.* per Diem respectively, showing the Date of Advertisement calling for Tenders, the Date and Amount of Debentures, to whom Issued, when Due on Notice from the Government or the Holder, and whether Payable in the Colony or in London.

Date of Advertisement.	Date of Debentures from which Interest is Payable.	Amount of each Debenture.	Numbers of each Class.	Amount of Debentures Issued.	Rate of Interest Payable.	TO WHOM ISSUED.	When Payable after Three Months' Notice being given by the Government.	When Payable after Three Months' Notice being given by the Holder.
PAYABLE IN THE COLONY:								
Jan. 1851 -	13 Feb. 1851	1,000	4	4,000 - -	$3\frac{1}{4}$	Sydney Savings Bank - - -	12 May 1854	12 May 1856.
	14 - -		3	3,000 - -	-	Port Phillip Savings Bank - - -	13 - -	13 - -
	19 - -	500	1	500 - -	-	Sydney Fire Insurance Company -	18 - -	18 - -
	13 - -		4	2,000 - -	-	Sydney Savings Bank - - -	12 - -	12 - -
	19 - -	100	2	200 - -	-	Sydney Fire Insurance Company -	18 - -	18 - -
	14 - -		3	300 - -	-	Port Phillip Savings Bank - - -	13 - -	13 - -
				10,000 - -				
Nov. 1851 -	21 Nov. 1851	1,000	30	30,000 - -	$3\frac{1}{4}$	Sydney Savings Bank - - -	20 Feb. 1853	20 Feb. 1857.
	21 - -		3	3,000 - -	-	Sydney Marine Insurance Company	20 - -	20 - -
	24 - -		20	20,000 - -	-	Commercial Bank - - -	23 - -	23 - -
	21 - -	500	11	5,500 - -	-	General Assurance Company -	20 - -	20 - -
	21 - -		1	500 - -	-	Sydney Infirmary and Dispensary -	20 - -	20 - -
	21 - -		1	500 - -	-	Sydney Marine Insurance Company	20 - -	20 - -
	21 - -		1	500 - -	-	Captain J. Burne - - -	20 - -	20 - -
	24 - -		10	5,000 - -	-	Commercial Bank - - -	23 - -	23 - -
	26 - -		4	2,000 - -	-	Fire Insurance Company - - -	25 - -	25 - -
	26 - -		1	500 - -	-	A. Warren - - -	25 - -	25 - -
	21 - -		5	500 - -	-	Sydney Infirmary - - -	20 - -	20 - -
	21 - -		3	300 - -	-	Mutual Provident Society - - -	20 - -	20 - -
	21 - -		5	500 - -	-	Captain J. Burne - - -	20 - -	20 - -
	26 - -		5	500 - -	-	Fire Insurance Company - - -	25 - -	25 - -
	26 - -		3	300 - -	-	A. Warren - - -	25 - -	25 - -
				69,600 - -				
Dec. 1851 -	6 Feb. 1852	1,000	22	22,000 - -	$3\frac{1}{4}$	Commercial Banking Company -	5 May 1853	5 May 1857.
		500	13	6,500 - -	-			
		100	19	1,900 - -	-			
				30,400 - -				
July 1852 -	21 Aug. 1852	1,000	30	30,000 - -	$3\frac{1}{4}$	Commercial Banking Company -	20 Nov. 1855	20 Nov. 1857.
		500	30	15,000 - -	-			
		100	50	5,000 - -	-			
				50,000 - -				
Aug. 1853	23 Sept. 1853	500	8	4,000 - -	$2\frac{1}{2}$	Sydney Fire Insurance Company -	23 Dec. 1856	23 Dec. 1858.
			2	1,000 - -	-	Henry Armitage - - -		
		100	10	1,000 - -	-	Sydney Fire Insurance Company -		
			7	700 - -	-	Henry Armitage - - -		
				6,700 - -				
Carried forward - - -				£. 166,700 - -				

CORRESPONDENCE RELATING TO EMIGRATION

RETURN of all Land and Immigration Debentures now Outstanding, and bearing Interest, &c.—*continued.*

Date of Advertisement.	Date of Debentures from which Interest is Payable.	Amount of each Debenture.	Numbers of each Class.	Amount of Debentures Issued.	Rate of Interest Payable.	TO WHOM ISSUED.	When Payable after Three Months' Notice being given by the Government.	When Payable after Three Months' Notice being given by the Holder.
Payable in the Colony— <i>continued.</i>				£. s. d.	d.			
Brought forward - - -				166,700 - -				
20 Oct. 1853 -	19 Nov. 1853	1,000	50	50,000 - -	2 $\frac{3}{4}$	Sydney Savings Bank - - -	19 Feb. 1857	19 Feb. 1857
6 March 1854	25 March 1854	1,000	2	2,000 - -	2 $\frac{3}{4}$	Alexander Warren - - -	25 June 1857	25 June 1857
	25 - -		24	24,000 - -	-	Sydney Savings Bank - - -	25 - -	25 - -
	25 - -	500	2	1,000 - -	-	Alexander Warren - - -	25 - -	25 - -
	20 - -		4	2,000 - -	-	Sydney Fire Insurance Company -	20 - -	20 - -
	20 - -	100	10	1,000 - -	-	Ditto - - ditto - - -	20 - -	20 - -
				30,000 - -				
TOTAL payable in the Colony - - - £.				246,700 - -				
PAYABLE IN LONDON:								
15 July 1852 -	13 Aug. 1852	1,000	40	40,000 - -	3 $\frac{1}{4}$	Bank of Australasia - - -	13 Nov. 1855	13 Nov. 1855
		500	18	9,000 - -	-			
		100	10	1,000 - -	-			
				50,000 - -				
30 Aug. 1853 -	24 Sept. 1853	1,000	30	30,000 - -	2 $\frac{3}{4}$	Commercial Bank - - -	24 Dec. 1856	24 Dec. 1856
		500	26	13,000 - -	-			
		100	3	300 - -	-			
				43,300 - -				
6 March 1854 -	23 March 1854	1,000	19	19,000 - -	2 $\frac{3}{4}$	Australian Joint Stock Bank -	23 June 1857	23 June 1857
		500	22	11,000 - -	-			
				30,000 - -				
TOTAL Payable in London - - - £.				123,300 - -				
GENERAL TOTAL - - - £.				370,000 - -				

Audit Office, Sydney, }
14 July 1854. }(signed) John Keating,
Acting Auditor-General

— No. 9. —

(No. 95.)

COPY of a DESPATCH from Governor-General Sir C. A. FitzRoy to the Duke of Newcastle.

Government House, Sydney, 15 July 1854.

(Received 6 October 1854.)

(Answered, 27 Nov. 1854, No. 11, p. 27.)

My Lord Duke,

I HAVE the honour to transmit the copy of a letter, together with the enclosures therein mentioned, from the Board of National Education in Sydney, stating it to be their intention to procure, through the assistance of the Committee of Council on Education in England and the Honourable the Commissioners of National Education in Ireland, 16 married couples, as teachers, for conducting the national schools in the colony; and requesting that the persons who may be selected may be provided with passages to the colony in ships chartered by the Emigration Commissioners.

2. It is suggested, that the schoolmasters should be employed in the instruction of the immigrants during the voyage, and receive a free passage for themselves and their families as an equivalent for their services; and as I see no objection to these arrangements, I have the honour to request, should it meet your Grace's concurrence, that instructions may be given to the Commissioners to provide them with passages in the ships engaged by them to convey emigrants to the colony.

I have, &c.

(signed) Chas. A. FitzRoy.

Enclosure 1, in No. 9.

Encl. 1, in

THE Board of National Education to the Honourable the Colonial Secretary, requesting that his Excellency the Governor-general will be pleased to strongly recommend the Emigration Commissioners in England to grant free passages to 16 married schoolmasters to this colony for conducting national schools.

National Education Office, Sydney,
10 June 1854.

Sir,

WE do ourselves the honour to acquaint you that in consequence of the difficulties we experience in procuring teachers for conducting the national schools in the colony, we have resolved to apply for teachers from the mother country.

2. For this purpose we propose to request the Lords of the Committee of Council on Education, in England, and the Honourable the Commissioners of National Education in Ireland, each Board to select eight married couples (that is 16 in all) who shall possess certificates, duly accredited by their respective secretaries, of having been placed, upon examination, not lower than on the second division of the second class. Their wives to be competent to instruct female children in plain and fancy needlework.

3. To married couples, duly qualified as above, this Board proposes to offer a joint salary, ranging from the rate of one hundred and eight to one hundred and forty-four pounds per annum, exclusive of the sums derivable from the children attending the schools, in the way of school fees, and of house-rent.

4. It appears to us desirable that among the immigrants brought out in each ship to this colony, one or two schoolmasters and their families should be included, until the number above-mentioned is completed. The schoolmasters could be employed in the instruction of the immigrants during the voyage, and receive a free passage for themselves and their families as an equivalent for their services; we consider that no class of persons would be of more benefit to the colony, and none, therefore, more deserving the consideration and support of the Government.

5. Under these circumstances we have the honour to request that his Excellency the Governor-general will be pleased to forward the accompanying letters, addressed to the Lords of the Committee of Council on Education, in England, and to the Honourable the Commissioners of National Education, in Ireland, on the subject. We would also respectfully request his Excellency to strongly recommend the Emigration Commissioners in England to grant free passages to such teachers (and their families) as may be selected for conducting the national schools of the colony.

We have, &c.

(signed) J. H. Plunkett,

Chairman.

The Honourable the Colonial Secretary,
&c. &c. &c.

NEW SOUTH
WALES

No. 9
Governor-General
Sir C. A. FitzRoy
to the Duke of
Newcastle.
15 July 1854

10 June 1854

£.103. to £.

10 June 1854

10 June 1854

NEW
TH WALES.

2, in No. 9.

Enclosure 2, in No. 9.

National Education Office, Sydney,
New South Wales, 10 June 1854.

My Lords and Gentlemen,

WE, the Board of National Education in New South Wales, do ourselves the honour to acquaint your honourable Board that, in consequence of the difficulties we experience in procuring teachers for conducting the national schools in this colony, we have resolved to apply for teachers from the mother country.

2. For this purpose we have the honour to request your honourable Board will select eight married schoolmasters, who shall possess certificates duly accredited by your secretaries, of having been placed upon examination not lower than on the second division of the second class. Their wives to be competent to instruct female children in plain and fancy needlework.

3 to £. 144.

3. To married couples duly qualified as above, this Board proposes to offer a joint salary, ranging from the rate of one hundred and eight pounds to one hundred and forty-four pounds per annum, exclusive of the sums derivable by way of fees from the children attending the schools, and of house-rent.

The Board further undertake to find them in board and lodging until such times as the schools in the country, for which the teachers are destined, may be ready for their reception, and to which they will be sent, from Sydney, at the expense of this Board.

4. Arrangements have been suggested by this Government to the Emigration Commissioners in England to grant free passages to the teachers selected by your honourable Board, care being taken that each teacher should be furnished with sufficient credentials to the Commissioners that he is the individual selected for the above purpose.

5. It appears to us desirable, that among the immigrants brought out in each ship to this colony, one or two married teachers and their families should be included until the number mentioned above is completed; such teachers to be employed in the instruction of the immigrants during the voyage.

6. Under these circumstances we have the honour to request the assistance of your honourable Board in procuring for us teachers qualified to carry out the system of national education in this colony, a system identical in principle with that established in Ireland.

The Honourable the Commissioners of
National Education in Ireland.

We have, &c.
(signed) *J. H. Plunkett*,
Chairman.

3, in No. 9.

Enclosure 3, in No. 9.

National Education Office, Sydney,
10 June 1854.

My Lords,

WE, the Commissioners of National Education in New South Wales, do ourselves the honour to submit for your Lordships' consideration the request contained in the following statement:

2. In the year 1848 an Act was passed by the local Legislature, incorporating the Board of National Education, and at the same time funds were voted for educational purposes, to be expended under their control. The system of education entrusted to the Board's direction is identical in principle with that known in Ireland as the national system, introduced by Lord Stanley. Children of all denominations receive in our schools general religious instruction upon those points of faith held in common by all Christians, the special doctrinal teaching being left to the pastors of their respective communions.

We forward herewith, for your Lordships' information, copies of the regulations for the government and support of our schools.*

3. In carrying out these views, schools have been established in various parts of the colony, but the extension of the system has been checked by the want of efficient teachers. It has even been found impossible to procure candidates for training in our model school.

4. Under these circumstances we venture to solicit the assistance of your Lordships in our endeavours to provide teachers for this colony.

We are strongly of opinion that if thoroughly trained teachers were introduced from the mother country, the standard of education would be greatly raised, and the country much benefited. We beg, therefore, to request that your Lordships will instruct Her Majesty's inspectors of schools to select eight married schoolmasters who are willing to emigrate. As they will be expected to give the tone to the elementary instruction of the country, we think it indispensable that they should possess your Lordships' certificates of merit of either the first or second class. They must, of course, be prepared to teach upon the system before-mentioned.

3 to £. 144.

5. To married couples duly qualified as above, this Board proposes to offer a joint salary ranging from the rate of one hundred and eight pounds to one hundred and forty-four pounds

* This being a lengthy pamphlet, entitled, "Regulations for the Establishment and Conduct of National Schools in New South Wales," is not printed with these Papers.

pounds per annum, exclusive of the sums derivable, by way of fees, from the children attending the schools, and of house-rent.

The Board further undertake to find them in board and lodging until such times as the schools in the country, for which the teachers are destined, may be ready for their reception, and to which they will be sent from Sydney at the expense of this Board.

6. Arrangements have been suggested by this Government to the Emigration Commissioners to grant free passages to the teachers selected by your Lordships, care being taken that each teacher should be furnished with sufficient credentials to the Commissioners that he is the individual selected for the above purpose.

7. It appears to us desirable that, among the immigrants brought out in each ship to this colony, one or two married teachers and their families should be included, until the number mentioned above is completed; such teachers to be employed in the instruction of the immigrants during the voyage.

8. In conclusion, we would beg to be favoured with copies of any of your Lordships' published minutes, reports of Her Majesty's inspectors, or other documents which would aid us in giving effect to the benevolent intentions of the Legislature, by perfecting the system of education which they sanction and support.

We have, &c.

For and on behalf of the Board,
(signed) *J. H. Plunkett*,
Chairman.

The Lords the Committee of Council
on Education, England.

National Education Office, Sydney,
10 June 1854.

My Lords and Gentlemen,
WE, the Board of National Education in New South Wales, do ourselves the honour to acquaint your honourable Board that, in consequence of the difficulties we experience in procuring teachers for conducting the national schools in this colony, we have resolved to apply for teachers from the mother country.

2. For this purpose, we have the honour to request your honourable Board will select eight married schoolmasters, who shall possess certificates duly accredited by your secretaries of having been placed upon examination not lower than on the second division of the second class, their wives to be competent to instruct female children in plain and fancy needlework.

3. To married couples duly qualified as above, this Board proposes to offer a joint salary ranging from the rate of one hundred and eight pounds to one hundred and forty-four pounds per annum, exclusive of the sums derivable by way of fees from the children attending the schools, and of house-rent.

£. 108 to £.

The Board further undertake to find them in board and lodging until such times as the schools in the country, for which the teachers are destined, may be ready for their reception, and to which they will be sent from Sydney at the expense of this Board.

4. Arrangements have been suggested by this Government to the Emigration Commissioners to grant free passages to the teachers selected by your honourable Board, care being taken that each teacher should be furnished with sufficient credentials to the Commissioners, that he is the individual selected for the above purpose.

5. It appears to us desirable, that among the immigrants brought out in each ship to this colony, one or two married teachers and their families should be included, until the number mentioned above is completed, such teachers to be employed in the instruction of the immigrants during the voyage.

6. Under these circumstances, we have the honour to request the assistance of your honourable Board in procuring for us teachers qualified to carry out the system of national education in this colony, a system identical in principle with that established in Ireland.

We have, &c.

To the Honourable the Commissioners
of National Education in Ireland.

(signed) *J. H. Plunkett*,
Chairman.

— No. 10. —

(No. 98.)

COPY of a DESPATCH from Governor-General Sir C. A. FitzRoy to the Duke of Newcastle.

Government House, Sydney, 21 July 1854.

(Received, 6 October 1854.)

(Answered, 29 November 1854, No. 15, p. 28.)

My Lord Duke,

I HAVE the honour to transmit to your Grace a copy of an Address presented to me on the 7th instant by the Legislative Council, recommending, in accordance with a progress Report from a Select Committee appointed in the present

No. 10
Governor-General
Sir C. A. FitzRoy
to the Duke
of Newcastle.
21 July 1854

NEW
SOUTH WALES.

Session, "to take into consideration the best means of promoting emigration to this colony," that a further "remittance of 100,000*l.* may be immediately made to the Land and Emigration Commissioners, to be expended by them as speedily as possible in promoting emigration to New South Wales; and that the provisions of the Act of Council, 16 Vict., No. 42, should not be enforced upon the emigrants who may be sent out by these funds, or by any balance which may remain from those which have been already transmitted, should any difficulty be experienced in obtaining the requisite number of emigrants under that system."

s. 1, 2, and 16
the 2d, 4th, and
th Jan. 1854.

2. Besides the sum of 100,000*l.* raised by the sale of debentures, and remitted to the Emigration Commissioners, which is adverted to in your Grace's despatch No. 15,* of the 3d February last, an additional amount of 100,000*l.* was afterwards forwarded, as intimated to your Grace in my despatches noted in the margin; and, concurring in the opinion of the Council of the expediency of placing further funds at the disposal of the Commissioners, to enable them with as little delay as possible to add to the supply of labour so much demanded by every branch of colonial industry, I have directed measures to be taken for forwarding to them the sum recommended in the Address of the Council. In making this notification, it affords me satisfaction to inform your Grace that the state and prospects of the Territorial Revenue are such as to admit of my making this remittance without adding to the debt already secured upon it.

3. A sum of 50,000*l.*, being a portion of the amount now recommended to be forwarded, has accordingly been paid to the Assistant Commissary-general, whose certificate has been transmitted by this opportunity to the Emigration Commissioners, to enable them, under the sanction of your Grace, to obtain a corresponding sum from the British Treasury; and a further remittance of 50,000*l.* will be made shortly, out of the accruing Territorial Revenue.

4. With reference to the desire expressed by the Council on the subject of the non-enforcement of the provisions of the Act of Council 16 Vict., No 42, in the event of any difficulty being experienced in obtaining the requisite number of emigrants under the system which it was intended to establish, it is perhaps unnecessary that I should urge this suggestion upon the attention of your Grace, as in the despatch No. 15,* of the 3d of February last, to which I have already adverted, I was informed that, in the event of success not attending the efforts of the Commissioners for sending out emigrants on condition of their repaying the cost of their introduction, your Grace would authorise them to set on foot an emigration under the regulations on which people are forwarded to other parts of Australia.

I have, &c.
(signed) *Chas. A. FitzRoy.*

Encl. in No. 10.

Enclosure in No. 10.

To his Excellency Sir *Charles Augustus FitzRoy*, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australian Possessions, and Captain-General and Governor-in-Chief of New South Wales and its Dependencies, and Vice-Admiral of the same, &c. &c. &c.

May it please your Excellency,

WE, Her Majesty's most dutiful and loyal subjects, the members of the Legislative Council of New South Wales, in Council assembled, beg respectfully to request that your Excellency will be pleased, in conformity with the recommendation contained in the progress Report of the Immigration Committee, to direct that a further remittance of 100,000*l.* may be immediately made to the Land and Emigration Commissioners, to be expended by them as speedily as possible in promoting emigration to New South Wales, and that the provisions of the Act of Council 16 Vict., No. 42, should not be enforced upon the emigrants who may be sent out by these funds, or by any balance which may remain from those which have been already transmitted, should any difficulty be experienced in obtaining the requisite number of emigrants under that system.

Legislative Council Chamber, Sydney,
7 July 1854.

(signed) *Charles Nicholson*, Speaker.

* Page 56 of House of Commons' Paper, No. 436, Part I, 2 August 1854, "Australian Emigration."

Despatches from the Secretary of State.

THE DUKE OF NEWCASTLE.

— No. 1. —

(No. 63.)

COPY of a DESPATCH from the Duke of *Newcastle* to Governor-General
Sir *C. A. FitzRoy*.

Sir,

Downing-street, 12 June 1854.

MY attention has been called by the Lords Commissioners of the Treasury to the circumstance that considerable inconvenience as well as loss to the public is likely to arise through the remittance by the colony under your Government, of large sums on account of emigration and other services through the Commissariat Chest, as being in excess of what is required for expenditure in the colony on account of the Imperial Government.

Their Lordships have intimated that they have no wish to withdraw the general permission already given to remit money for emigration purposes through the Commissariat Chests; but if the necessity for such large remittances is likely to continue in New South Wales, they would wish you to adopt some other mode of remittance for a portion of these funds, and I have to instruct you to act in the matter in conformity with that suggestion.

I have, &c.
(signed) *Newcastle*.

No. 1.
Duke of Newcastle
to Governor-
General Sir C. A.
FitzRoy.
12 June 1854.

THE RIGHT HON. SIR GEORGE GREY, BART.

— No. 2. —

(No. 5.)

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart.,
to Governor-General Sir *C. A. FitzRoy*.

Sir,

Downing-street, 28 June 1854.

WITH reference to your despatches, No. 1. of the 2d, and No. 15,* of the 25th of January last, relative to the remittance to this country of funds for the continuance of emigration to New South Wales, and the proportion to be assigned to the Moreton Bay District, I transmit, for your information, the copy of a Report which has been received from the Colonial Land and Emigration Commissioners, in reply to the reference which was addressed to them on the subject.

I have, &c.
(signed) *G. Grey*.

No. 2.
Sir G. Grey to
Governor-General
Sir C. A. FitzRoy.
28 June 1854.

* Page 1.

17 June 1854.

Enclosure in No. 2.

Encl. in No. 2.

Sir,

Colonial Land and Emigration Office, 17 June 1854.

1. WE have to acknowledge the receipt of your letters of the 6th ultimo and 2d instant, accompanied by despatches from the Governor of New South Wales, reporting the amount of the funds which he has remitted to this country for the continuance of emigration to that colony, and the proportion which he desires to be assigned to the Moreton Bay District.

No. 1, 2 Jan. 1854.
No. 15, 25 Jan.
1854.

NEW
SOUTH WALES.

As the high rates of, and great fluctuations in freights during the present year, arising very much from the demands for the war, have deranged the calculations contained in Sir C. FitzRoy's despatches, it will be convenient that we should explain fully the nature of our proceedings since the renewal of emigration at the beginning of this year, and the extent to which we shall be able to fulfil Sir C. FitzRoy's anticipations in regard to the number of people to be sent out.

2. The funds in our hands at the beginning of 1853 for emigration to New South Wales were exhausted, as had been accurately calculated in the colony, in the month of August last, and after that date emigration to New South Wales was necessarily suspended. In the month of January last we received information of the remittance of a further sum of 100,000 *l.*, and in his despatch of 2d of January last, received by us on the 8th ultimo, Sir C. FitzRoy reports the remittance of a second sum of the same amount. The whole amount, therefore, at our disposal for ordinary emigration to New South Wales during the present year is 200,000 *l.*

3. Sir C. FitzRoy calculates that each ship would cost about 4,500 *l.* and consequently that at this "high estimate" the 200,000 *l.* would send out 44 ships. This calculation, which at 250 statute adults to a ship is equal to 18 *l.* per statute adult, was consistent with the information before Sir C. FitzRoy at the time his despatch was written. The five ships despatched in July and August 1853 having been taken up at an average of 17 *l.* 15 *s.* 6*d.* per statute adult, with an apparent tendency to a fall. But high as were the rates in the summer of last year, they have been very much higher since the beginning of the present year, principally from the demand for ships of the same class for the conveyance of troops. Thus the average price of the ships which we have engaged for New South Wales from the 1st of January last to the end of the present month is, as will be seen from the annexed table, no less than 23 *l.* per statute adult. At the same time the size of the ships recently taken up has been somewhat larger than calculated by Sir C. FitzRoy. The number conveyed in the 13 ships, sent out since the receipt of the fresh remittances, having been equal to an average of 289 statute adults per ship.

4. The first information of the fresh remittances reached us, as we have said, in January, and the first ship which we sent out under it sailed on the 1st March. Some little delay occurred in the despatch of this ship (as we anticipated in our Report of the 23d January last), from the fact that we had to bring into operation a new scheme of emigration the success of which could not be predicted before trial. We have since despatched or taken up to the end of this month 12 more ships, making a total of 13 in four months. This is a considerably smaller number of ships than had been proposed by Sir C. FitzRoy, namely, four a month; but as their average size has been large, the number of emigrants conveyed in them will be little below what he probably calculated on. The whole number of emigrants despatched, will be equal to more than 3,700 statute adults. The whole number which we suppose him to have expected to receive in 16 ships would be 4,000 statute adults.

5. In respect to the expense which has been incurred, it is obvious that according to Sir C. FitzRoy's estimate of 4,500 *l.* a ship, or 18 *l.* per statute adult, 16 ships carrying 4,000 statute adults would have cost 72,000 *l.* The actual expense of the 13 ships, carrying 3,700 statute adults, will, as near as we can calculate, have been 86,000 *l.*, but of this amount about 6,000 *l.* will be covered by the contributions of the emigrants themselves or their friends in the colony, making the whole expense to the colonial funds about 80,000 *l.* The result is, that at the end of the present month we shall have a clear sum of about 120,000 *l.* in hand on account of New South Wales. There seems reason to believe that freights will be lower for some time than they have been, but it would scarcely be safe to calculate them at less than 20 *l.* per statute adult. At that estimate the sum in hand would enable us to send out 6,000 more emigrants, which at four ships a month of 250 each, or 1,000 statute adults, would allow of our continuing the emigration to the end of the present year.

6. In respect to the distribution of the emigration between the Sydney and Moreton Bay districts, Sir C. Fitzroy had originally recommended that one ship in eight should be sent to Moreton Bay; but in his last despatch he suggests that the expense incurred for Moreton Bay should be equal to one-fifth of the amount remitted. What has actually been done is as follows. Of the 13 ships carrying 3,700 statute adults, two carrying 740 have been sent to Moreton Bay, being exactly equal to one-fifth of the whole number, and the expense of these ships will be about 18,000 *l.*, being a little more than one-fifth of the whole sum expended. We trust, therefore, that we shall be considered to have kept as near as circumstances admit to the proportion recommended by Sir C. FitzRoy.

7. In conclusion, we may be allowed to explain, that we have based our calculations in this report rather on the number of immigrants than of ships, because from the variation in the size of the ships which we are obliged to take up, the calculation by ships has ceased to be accurate. In former years, when freights were low, we had a large choice of ships, and could, therefore, select them very much of the same size. Latterly our choice has been more restricted, and we are therefore obliged to accept the best offers we get, provided the ships do not exceed the size which, as shown in our report of 21st February last, appears to be consistent with health on the voyage.

We have, &c.

(signed) T. W. C. Murdoch.
C. Alex. Wood.

Herman Merivale, Esq.
&c. &c. &c.

Sub-Enclosure to Enclosure in No. 2.

NEW
SOUTH WALESLIST of SHIPS despatched to *New South Wales* during the first Six Months of the year 1854.

Date of Tender.	Number.	NAME of SHIP.	Tonnage.		Number of Statute Adults can legally carry.	Date of Sailing.	Contract Price.	Destination.
			Old.	New.				
1854 :						1854 :	£. s. d.	
5 January -	1	Switzerland - - -	640	640	215½	1 March -	21 5 7	Sydney.
9 February -	2	Sabrina - - -	627	673	236	28 " -	20 19 6	- ditto.
23 " -	3	Plantagenet - - -	687	806	279	16 April -	21 15 -	- ditto.
9 March -	4	Lady Elgin - - -	701	851	276	21 " -	22 19 10	- ditto.
16 " -	5	Araminta - - -	818	845	292	3 May -	22 14 3	- ditto.
23 " -	6	Monsoon - - -	-	1,150	335	13 " -	25 17 10	Moreton Bay.
30 " -	7	Columbia - - -	1,200	1,291	349½	13 " -	23 18 -	Sydney.
13 April -	8	China - - -	532	630	213	28 " -	24 15 6	- ditto.
13 " -	9	Genghis Khan - - -	1,274	1,306	407½	5 June -	25 4 4	Moreton Bay.
20 " -	10	Tantivy - - -	988	1,040	317	3 " -	24 19 -	Sydney.
11 May -	11	Lady Ann - - -	710	745	260	- - -	22 9 6	- ditto.
18 " -	12	Ellenborough - - -	853	1,031	332	- - -	20 15 -	Newcastle.
25 " -	13	Caroline - - -	697	733	241	- - -	21 9 6	Sydney.

— No. 3. —

(No. 33.)

COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart.,
to Governor-General Sir C. A. FitzRoy.

Sir,

Downing-street, 26 August 1854.

I HAVE to acknowledge the receipt of your despatch, No. 41,* of the 28th of February last, transmitting a copy of the revised Regulations for the introduction into New South Wales of vine-dressers and labourers skilled in the culture of the olive, and silk, and stating that, upon a recommendation of a committee of the Legislative Council, you had appropriated a further sum of 10,000*l.* for that object.

In reply, I have to express my approval of the arrangement of the Regulations under which you propose that it should be carried into effect.

I have, &c.
(signed) G. Grey.

No. 3.
Sir G. Grey to
Governor-General
Sir C. A. FitzRoy
26 August 1854

* Page 3.

— No. 4. —

(No. 11.)

COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart.,
to Governor-General Sir W. Denison.

Sir,

Downing-street, 27 November 1854.

I HAVE received your predecessor's despatch No. 95* of the 15th of July last, recommending that certain married teachers, applied for by the Board of National Education in New South Wales, should be engaged for the conduct of the local national schools, and that they should be provided with free passages to the colony, on their undertaking to instruct the emigrants who may proceed with them during the voyage.

I have to acquaint you, that I have forwarded to the Lords of the Committee of Council on Education, and to the Commissioners of National Education in Ireland, the letters respectively addressed to them by the Local Board of Education, and I shall be prepared, whenever the selection of these teachers may be notified to me, to instruct the Emigration Commissioners to provide them with passages to New South Wales.

I have, &c.
(signed) G. Grey.

No. 4.
Sir G. Grey to
Governor-General
Sir W. Denison.
27 Nov. 1854.

* Page 21.

NEW
SOUTH WALES.

— No. 5. —

No. 5.
Sir G. Grey to
Governor-General
Sir W. Denison.
29 Nov. 1854.

(No. 15.)

COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart.,
to Governor-General Sir W. Denison.

Sir,

Downing-street, 29 November 1854.

I HAVE received Sir C. FitzRoy's Despatch No. 98* of the 21st July last, enclosing copy of an Address presented to him by the Legislative Council, containing recommendations founded upon a Report from a select committee of that body, appointed to take into consideration the best means of promoting emigration to New South Wales, and reporting a remittance of 50,000 *l.* for this service, with a promise of a further remittance of like amount to be similarly expended.

I enclose for your information the copy of a Report which I have received from the Colonial Land and Emigration Commissioners in reply to the reference which was made to them on this subject, and I have to acquaint you, that I have intimated to the Commissioners my approval of the course which they propose to take for the present conduct of emigration to New South Wales.

I have, &c.
(signed) G. Grey.

14 Nov. 1854.

Encl. in No. 5.

Enclosure in No. 5.

Sir,

Colonial Land and Emigration Office,
14 November 1854.

WE have the honour to acknowledge the receipt of your letter of the 23d ultimo, enclosing a despatch from the Governor of New South Wales, reporting a remittance of 50,000 *l.* to be expended by this Board in emigration, and that a further remittance of the same amount, and for the like purpose will shortly be made. In announcing this addition to our funds Sir Charles FitzRoy transmits an Address from the Legislative Council, recommending the measure, and states that the condition and prospects to the Territorial Revenue are such as to admit of his acting upon their recommendation without adding to the existing debt. The only stipulation as regards the appropriation of the money which the Council make is, that it should be expended as speedily as possible, and if any difficulty in obtaining people should arise from the Local Act (16 Vict., No. 42,) requiring the emigrants to engage to take service, they desire that it should not be enforced. As regards the financial part of the despatch it is only necessary that we should here report that the certificate for the first 50,000 *l.* has been duly received by us, and is in course of realisation. The state of our funds and of the existing debt upon the Territorial Revenue form the subject of a separate Report. With respect to the suggestion that the Local Act relating to contracts should not be enforced if it would retard the progress of the emigration, we annex a table showing the number of people who will have been despatched to the colony at the close of the year; by which it will be seen that as many as 12,158 will be sent out, and since these people have all contracted under the Act to take service for a limited period after arrival, and have been collected without any difficulty, we see no necessity for making any change in the regulations. Indeed to do so would be inconvenient, as the forms of applications, of which a large number are now in circulation, would require alteration.

2. If, however, after the measure has been fully tried, it should turn out that the colonists derive no substantial advantage from the contract system, and that the emigrants' engagements under the Local Act virtually inoperative, it will probably occur to the Legislature to modify or repeal the law. Until that be done, and so long as we experience no difficulty in procuring emigrants willing to be bound by its provisions, we shall continue to enforce them.

We have, &c.

(signed) T. W. C. Murdoch.
C. Alexander Wood.

Herman Merivale, Esq.
&c. &c. &c.

No. 98, 21 July.

NUMBER of Ships and Emigrants Despatched and to be Despatched by the Board to
New South Wales during the Year 1854.

DESTINATION.	DESPATCHED.		TO BE DESPATCHED.		TOTAL.	
	Number of Ships.	Number of Emigrants.	Number of Ships.	Number of Emigrants.	Number of Ships.	Number of Emigrants.
Sydney - - -	23	7,273	8	2,510	31	* 9,783
Moreton Bay - -	4	1,670	1	300	5	1,970
Newcastle - - -	1	405	-	-	1	405
TOTAL - - -	28	9,348	9	2,810	37	12,158

* Besides this number, a body of Police, with their families, numbering 114 souls, were despatched in a private ship to Sydney.

— No. 6. —

(No. 18.)

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart.,
to Governor-General Sir *W. Denison*.

Sir,

Downing-street, 5 December 1854.

I ENCLOSE, for your information, the copy of a Report from the Emigration Commissioners on the subject of a correspondence between their office and Mr. Crawford, the secretary of an Emigration Society at Glasgow. It appears that the Commissioners have kept your Government apprised of the course of this correspondence, and further, that the society for which Mr. Crawford acts is holding out to emigrants, enrolling themselves as its members, greater facilities for obtaining passages to New South Wales, at the expense of the public, than are given to emigrants not so enrolled, in reliance upon an intimation made to that gentleman by your predecessor, to the effect that there would be no objection to his sending out persons on exceptional terms. I trust that I need hardly impress it upon you that much inconvenience may probably arise if the Colonial Government, after laying down general regulations for the public good, afterwards grants exceptions from them to private persons in this country, of whom it is not to be supposed that the local authorities of so distant a colony as New South Wales can have any extensive or accurate knowledge.

I now transmit to you the copy of a further Report from the Emigration Commissioners, accompanied by a circular, which Mr. Crawford has issued, explanatory of the future course of proceedings which he contemplates. Whilst I should of course be very willing to be informed of any opinions which you may form on the subject of Mr. Crawford's scheme, I must acquaint you that serious evils have been experienced on former occasions from the dealings of private persons, under the apparent sanction of the Government, with emigrants in humble circumstances, and that Her Majesty's Government, therefore, could not sanction the employment of irresponsible agents for the collection of emigrants intended to be despatched by the Board of Emigration; a course which would occasion numerous risks of misleading, and thus inflicting injury upon, the humbler classes of Her Majesty's subjects in this country.

I have, &c.
(signed) *G. Grey*.

Enclosure 1, in No. 6.

Colonial Land and Emigration Office,
29 September 1854.

Sir,

WE have to acknowledge the receipt of your letter of the 6th instant, enclosing one from Mr. Crawford, the secretary to the Scottish Australian Emigration Society, and to submit the following Report for the consideration of Secretary Sir *George Grey*.

42.

D 3

2. In

No. 6.
Sir G. Grey, Bart.
to Governor-
General Sir W.
Denison.
5 December 1854.

29 Sept. 1854.

22 Nov. 1854.

22 August.

NEW
SOUTH WALES.

Encl. 1, in No. 6.

Letter from Colo-
nial Secretary,
20 March.
Sub-Enclosure 1.

2. In the month of June last we received from the Colonial Secretary, at Sydney, a copy of the accompanying correspondence which had taken place between certain members of the above Society and the Government of New South Wales. It will be seen by this correspondence that the society which originally was constituted by Dr. Lang, had resolved in the early part of last year to carry on its proceedings independently of that gentleman, and thenceforth for the three following objects:

1st. To procure free passages to Australia for certain members (hand-loom weavers especially were mentioned), unable to pay their own passages.

2d. To obtain assisted passages for contributors, by instalments of 5 *l.* each, towards their passage; and,

3d. To purchase or charter ships for the conveyance of members and others wishing to join them.

3. It will further be seen that the society applied to the Government of New South Wales: first, that hand-loom weavers, as a class, should be deemed eligible for free passages under our rules, on the same terms as artisans or mechanics, agricultural labourers, or any other class; and, secondly that assisted passages should be given to members subscribing 5 *l.*, and that to this application a reply was given, in substance as follows:

4. It was stated by the Colonial Secretary that the Governor, after consulting his Executive Council, was unable to recommend a relaxation in reference to hand-loom weavers, except for such as might contribute 5 *l.* towards their passages, a like sum for their wives, and each adult member of their family, and half that amount for children. But for such members of the society of that class as were willing to contribute at that rate, a promise was given that the balance of the cost of their passages would be paid from colonial funds; but subject to the condition that this latter payment should be less than the amount required to introduce an equal number of the most eligible immigrants.

5. It was also stated that members paying in full their own passages might be accommodated in our ships; and the society was recommended to have recourse to them in preference to chartering vessels of their own. But to this arrangement we were obliged to object, on the score of discipline, as explained to Mr. Crawford, in our first letter of the 24th of June, a copy of which we annex.

6. Upon the correspondence with the local Government, a discussion arose between Mr. Crawford and ourselves as to the proper interpretation of the Colonial Secretary's letter.

7. On the one hand he contended, that the society's members, on payment of 5 *l.*, and half that amount for children, were to be taken out, even in our ships, subject to no further liability, not even that of service imposed by the recent local Act, except the single condition that the sum to be paid by the colony should be less than that which would be required to introduce an equal number of the most eligible emigrants. We, on the other hand, have insisted that, except to waive in favour of the Society's members making the requisite payment the ineligibility of weavers, as a class, our rules were not to be relaxed, and that those who might seek passages in our ships must in other respects conform to the Regulations applicable to ordinary emigrants, and most especially to the condition of indenture which is rendered imperative by an Act of the local Legislature.

8. As far back as June last, in the letter above mentioned, we made known to Mr. Crawford our view of the Colonial Secretary's letter, and subsequently cautioned him against promising passages which he might not be able to provide. It has since turned out, however, that Mr. Crawford took steps by which several emigrants were led to expect that they would be able to leave England next month; and after trying ineffectually to procure a ship to take them out, independently of this Board, he last month again applied for our assistance. This we have promised to afford on the terms mentioned in our letter of the 29th ultimo, a copy of which we enclose, together with Mr. Crawford's communication, to which it is an answer. A number of applications have been accordingly sent in which we are now engaged in examining. Seeing that the Society received encouragement from the local Government, we shall endeavour to despatch as speedily as possible such applicants as may fairly be deemed to come within the meaning of the Colonial Secretary's letter.

9. The recent decision of the Society to apply to this Board for assistance to convey their emigrants was taken at a general meeting of the members held at Glasgow on the 19th instant. A report of the proceedings at that meeting has, we believe, already been communicated to Sir George Grey; and since the remarks which we felt called upon to make on the subject, when the report was communicated to us, appear in our last letter to Mr. Crawford, we would beg to submit a copy of it for Sir George Grey's information. But we do not think it necessary to trouble him with all the correspondence, although if desired it can be forwarded for his inspection; and we should add, that we have thought it right to keep the local authorities from time to time fully informed on the subject.

We have, &c.

Frederick Peel, Esq., M. P.,
&c. &c. &c.

(signed) C. Alexander Wood.
Frederic Rogers.

P. S.—Since this was written we have received Mr. Elliot's letter of the 28th instant, enclosing the report alluded to in the last paragraph.

It will be seen that by our letter of the 29th of August, Mr. Crawford was apprised of the reasons which prevent our undertaking to despatch a ship from the Clyde.

Mr. Walcott,
24 June.
Sub-Enclosure 2.

Mr. Walcott,
29 August.
Sub-Enclosure 4.

Mr. Crawford,
26 August.
Sub-Enclosure 3.

Mr. Walcott,
23 September.

Sub-Enclosure 1, to Enclosure 1, in No. 6.

NEW
SOUTH WALESColonial Secretary's Office, Sydney,
20 March 1854.

Sir,

I AM directed by his Excellency the Governor-general to transmit, for the information of the Colonial Land and Emigration Commissioners, the accompanying copy of a letter from the Scottish Australian Emigration Society, requesting that free and assisted passages to Australia may be provided for hand-loom weavers and other members of the Society. I also enclose a copy of the report of the immigration agent on the application, and also a copy of the reply, which, with the advice of the Executive Council, has been given to the Society.

3.

S. Walcott, Esq.,
Secretary to the Colonial Land and
Emigration Commissioners.

I have, &c.
(signed) C. D. Riddell.

Scottish Australian Emigration Society's Office,
75, Jamaica-street, Glasgow, 19 July 1853.

Sir,

THE Scottish Australian Emigration Society was established in January last, in pursuance of a resolution passed at a public meeting held in Nile-street chapel, in this city, and which was convened by the Rev. Dr. John Dunmore Lang, of New South Wales.

The objects of the Society were then declared to be the purchase of land in New South Wales, the plantation and growth of cotton, and the emigration of a body of Scotchmen to the lands so purchased.

Dr. Lang very soon discovered that his scheme was wholly impracticable.

A meeting of the enrolled members of the Society was then called, and it was resolved to go on with the Society, apart altogether from Dr. Lang and his land-buying and cotton-growing speculations for the three following purposes:—First, the application to Her Majesty's Colonial Land and Emigration Commissioners for free passages to Australia for such of the members, hand-loom weavers, for instance, as could not pay their own passages; second, for assisted passages for such of the members as were willing to pay up, or contribute by instalments the sum of 5*l.* sterling each towards the cost of their passages; and thirdly, to purchase or charter a ship or ships for the conveyance of those members who might be able to pay their own passages, and of all others who might be willing to join them as fellow-passengers.

That the Society some time ago memorialised Her Majesty's Ministers, praying for free or assisted passages to Australia. This memorial was referred with the relative lists of members to the Colonial Land and Emigration Commissioners; and by a letter received from Mr. Frederick Peel, Under-Colonial Secretary, the Society were informed that that portion of the members who did not appear *primâ facie* objectionable, would receive passages, and would be communicated with through the usual agency of the Commissioners.

The greater number of the members of the Society are hand-loom weavers, who cannot save from their earnings anything wherewith to defray any part of their passages. Persons of this class are excluded from the privilege of free passages, and it is believed they are the parties alluded to who, *primâ facie*, are objectionable in the eyes of the Commissioners.

We would humbly submit, however, that the exclusion of hand-loom weavers by Her Majesty's Colonial Commissioners from the privilege of free passages is not warranted on any grounds; and the object of our now addressing you is, that you will have the goodness to bring the subject under the consideration of his Excellency the Governor of New South Wales and the members of the Executive and Legislative Councils of the Colony, in order that they may order such exclusion to be put an end to, and this class of Her Majesty's subjects be admitted to a participation of the fund set apart from the colonial revenues for the purposes of emigration, the same as artisans, or mechanics, or agricultural labourers, or any other class.

We would also express the hope that you will authorise assisted passages to be given to those members of the Society who are contributing by instalments, and are willing to pay 5*l.* towards their own passages.

We may state that the Society in the month of May last numbered 487 adult members and 208 children equal to 104 adults, making 591 adults, or 695 souls in all. These numbers included the hand-loom weavers. Since then, however, several of the members, have obtained free passages, and a good many have paid their own passages, so that at the present date the Society will not number more than 400 adults in all.

We beg to refer you to the enclosed copy of the rules of the Society; and we have the honour to remain, &c.,

Signed in name, and on behalf of the members of the Scottish Australian Emigration Society.

John Mcintosh.
John Browne.

John Crawford, Secretary, residing, 24, Abbey-street,
Paisley.

NEW SOUTH WALES. The Agent for Immigration to the Colonial Secretary, returning Letter from the Scottish Australian Emigration Society respecting free passages for Hand-loom Weavers, and assisted passages for Members of that Society.

Immigration Office, Sydney,
21 January 1854.

Sir,

In returning to you herewith the letter from the Scottish Australian Emigration Society, respecting free passages for hand-loom weavers, and assisted passages for members of that society, which was referred to me under your blank cover of the 21st November last, I do myself the honour to state that I cannot recommend that any relaxation should be made in the regulations adopted by the Commissioners, in reference to hand-loom weavers, as prayed for by the Society.

2. In the first place, the labourers most suitable and most in demand in this colony are those accustomed to either agricultural or pastoral pursuits; and although it may be supposed that weavers, who have been in the habit of following a sedentary occupation, would, on their arrival in the colony, be disposed at once to take employment as shepherds or some other similar occupation, the contrary has been found to be the case with those for whom free passages have been granted in the late ships to the colony; and I see no reason, therefore, for interfering with the present regulations, which leave a discretionary power in the hands of the Commissioners to deviate from them under peculiar circumstances; such, for instance, as the difficulty of obtaining more suitable applicants for emigration.

3. I think, however, a relaxation might be made in favour of such weavers as could contribute the sum of 5*l.* towards the cost of passages for themselves, their wives, and each of their adult children, and half that amount for each of their children between the ages of one and fourteen years. Under such an arrangement the colony might fairly, in its present inability to supply itself with sufficient suitable labour, be expected to bear a portion of the cost of introducing less eligible labour, provided the portion required in such cases from the colony was less than the amount required to introduce an equal number of the most eligible immigrants.

4. The objects of the Society being, however, most praiseworthy, are such as should, no doubt, receive every reasonable support from the colonial authorities; and I would therefore suggest that the same assistance and advice should be afforded to emigrants introduced under their auspices, on their arrival in the colony, as is now afforded to those forwarded by the Land and Emigration Commissioners, and that the single females should be received into the depôt and provided with situations.

5. With reference to that part of the Society's letter in which they propose either to purchase or charter a vessel for the conveyance of such of their members as are in a position to defray the cost of their own passages, I would point out that the difficulties which oppose those in authority on board private passenger ships, in observing order, regularity, and cleanliness, and the other disadvantages which they labour under, when compared with the manner in which the daily routine duties are carried on in ships despatched by the Commissioners, are such as to justify me in suggesting that the Society would benefit those whom they are desirous to serve in a far greater degree, by making arrangements with the Commissioners for passages at intervals in their ships for such of their members as may be in a position to pay their own passage-money—an arrangement which would, in my opinion, not only afford them such advantages as could not be obtained under other arrangements, but would also prevent the sudden arrival of a large number of persons whose former habits would make them less eligible for remunerative employment than those who had been accustomed to follow agricultural or pastoral pursuits.

I have, &c.
(signed) *H. H. Broune.*

Colonial Secretary's Office, Sydney,
20 March 1854.

Gentlemen,

I do myself the honour to inform you that his Excellency the Governor-general has received your letter of the 19th July last on behalf of the "Scottish Australian Emigration Society," a Society established in the city of Glasgow, for the three following purposes, namely; first, to procure free passages to Australia for such of the members (hand-loom weavers for instance), as cannot pay their own passages; second, to obtain assisted passages for such of the members as are willing to pay up or to contribute by instalments the sum of 5*l.* each, towards the cost of their passages; and, third, to purchase or charter a ship or ships for the conveyance of those members who may be able to pay their own passages, and of all others who may be willing to join them as fellow passengers.

2. It appears that the greater number of the members of the Society are hand-loom weavers, who cannot save from their earnings anything wherewith to defray any part of their passages, and that this class of persons are, by the present Regulations, excluded from the privilege of free passages; and the object of the application preferred in your communication is to procure the removal of the restriction with respect to weavers, and also to obtain assisted passages for those members of the Society who are contributing, by instalments, 5*l.* towards their own passages.

3. I am

3. I am further directed to inform you that, having brought the subject under the consideration of his Executive Council, his Excellency regrets that, under their advice he is unable to recommend that any relaxation should be made in the regulations adopted by the Land and Emigration Commissioners in reference to hand-loom weavers, as prayed for by the Society. The present Regulations leave a discretionary power in the hands of the Commissioners to deviate from them under peculiar circumstances, such, for instance, as the difficulty of obtaining more suitable applicants for emigration, and with that discretion his Excellency does not deem it proper to interfere.

4. There will be no objection, however, on the part of this Government to a relaxation being made in favour of such weavers as may contribute the sum of 5 *l.* towards the cost of passages for themselves, and the like sum for their wives and each of their adult children, and half the amount for each of their children between the ages of one and fourteen years, the balance of the cost of their passages being paid from colonial funds, provided the portion required in such cases, from the colony, be less than the amount required to introduce an equal number of the most eligible emigrants, and as the objects of the Society are most praiseworthy, and entitled to support from the local Government, the same assistance will be afforded to emigrants introduced under their auspices on their arrival in the colony, as are now afforded to those forwarded by the Land and Emigration Commissioners, and that the single females will be received into the *dépôt*, and provided with situations.

5. A letter, forwarding a copy of this communication will be addressed by the present opportunity to the Colonial Land and Emigration Commissioners.

6. With reference to that part of your letter in which it is proposed, either to purchase or charter a vessel for the conveyance of such of the members of the Society as are in a position to defray the cost of their own passages, I am instructed to point out, that the difficulties which oppose those in authority on board private passenger ships in observing order, regularity, and cleanliness, and the other disadvantages which they labour under when compared with the manner in which the daily routine duties are carried on in ships despatched by the Commissioners, are such as to justify the suggestion that the Society would benefit those whom they are desirous to serve, in a far greater degree, by making arrangements with the Commissioners for passages, at intervals in their ships for such of their members as may be in a position to pay their own passage-money, an arrangement which it is considered would not only afford them such advantages as could not be obtained under other arrangements, but would also prevent the sudden arrival of a large number of persons, whose former habits would make them less eligible for remunerative employment than those who had been accustomed to follow agricultural or pastoral pursuits.

7. In compliance with the wish expressed by the Society, I am desired to add, that the subject of their application will be brought under the notice of the Legislative Council in the approaching Session.

John M'Intosh, Esq., John Brown, Esq.,
and John Crawford, Esq.,

Scottish Australian Emigration Society's Office,
75, Jamaica-street, Glasgow, Scotland.

I have, &c.
(signed) C. D. Riddell.

Sub-Enclosure 2, to Enclosure 1, in No. 6.

Sir,

Colonial Land and Emigration Office,
Park-street, Westminster, 24 June 1854.

I AM directed by the Colonial Land and Emigration Commissioners to acknowledge the receipt of your letter of the 15th instant, requesting, with reference to a communication from the Government of New South Wales to the Scottish Australian Emigration Society, to be informed whether the Commissioners will be prepared to give passages in their ships to parties belonging to the Society whose names may be forwarded with a remittance of 5 *l.* for each adult, or in what other way it appears to the Commissioners that the views of the colonial authorities on this head can be best carried out.

The letter to the Society from the acting Colonial Secretary of New South Wales states that there will be no objection on the part of the local Government to a relaxation of the Commissioners' rules in favour of such weavers as may contribute for themselves and their families, at the rate of 5 *l.* per statute adult, the balance of their passage being paid from colonial funds, provided the portion required in such case from the colony be less than the amount required to introduce an equal number of the most eligible emigrants; and, further, the secretary suggests that members of the Society who pay their own passages, might be carried out in the Commissioners' ships.

In respect to the first point, I am to state that as the Government have thought fit to waive the objection against weavers, in consideration of a contribution of 5 *l.* per statute adult, the Commissioners will be prepared to act on the views thus announced. But you must understand that the only relaxation thus made relates to the employment of the intending applicant, and that in all that relates to their state of health, respectability, number of young children, outfit, &c., it will be necessary that they should come within the rules observed for other emigrants. In especial no relaxation can be made in regard to the number of young children allowed to each family (which as you will see by the annexed Regulations is

NEW
SOUTH WALES.

not to exceed three under ten, or two under seven) as the relaxation which was formerly made in this rule led to a very largely increased mortality.

The Commissioners cannot offer you passages for any of the members of the Society for the next three months, as the applications now before them will occupy all the ships which they can despatch to New South Wales during that time. But if you will send up a list of the persons who may desire to emigrate, and who will be prepared to make the necessary contribution, they will furnish forms to be filled up for such of the families or individuals as may appear eligible. You are of course aware that the emigrants, on their arrival in Sydney, will be required to enter into an engagement of service, in the terms printed on the back of the form.

In respect to the conveyance of persons who pay their own passages in the Commissioners' ships, the Commissioners desire me to state that they cannot accede to the suggestion of the colonial authorities on that point. Experience has proved that such an arrangement militates against discipline, and it is never, therefore, allowed except under very peculiar circumstances.

In conclusion, the Commissioners think it necessary, in order to prevent mistakes, to state at once, with reference to a correspondence which passed with you some time ago, that if you should require any remuneration for your services in corresponding with this Board, or in forwarding the interests of the members of the Society for which you apply, it is to the Society, and not to the Commissioners, that you must look. The Commissioners can hold out to you no prospect that any allowance would be made to you out of the colonial funds.

I have, &c.

(signed) S. Walcott,
Secretary.

J. Crawford, Esq.

Sub-Enclosure 3, to Enclosure 1, in No. 6.

Sir,

65, Jamaica-street, Glasgow, 26 August 1854.

I BEG to acknowledge your letter, accompanying schedule, for Christina Stewart.

The "Scottish Australian Emigration Society" have been unable to get a shipowner to agree to take out their members to Sydney, except at a rate exceeding what by the Governor's letter they are limited to.

There are betwixt 300 and 400 adults, all ready to pay 5 *l.* per head, and who have been led to expect they will get away this month or next.

I took the liberty of writing Sir William Molesworth and also Sir George Grey to use their influence with the Commissioners to take up a ship and despatch her from the Clyde, say next month, or in October, with the party. I stated that the single men would be willing to bind themselves to pay 10 *l.* as the balance of their passage-money during the two years of their service after arrival, and I suggested that the emigration might be conducted by Mr. Chant, and I would willingly assist.

I learn that Sir William Molesworth is in the Highlands, and that Sir George Grey is also travelling in Scotland, so that I apprehend my letters have not been received by them.

In these circumstances, I take the liberty of writing you, and inquiring if the Commissioners will be inclined to send out the members as I have suggested. The Act 16 Vict. c. 42, s. 10, allows of a deviation from established rules in the case of Emigration or Colonization Societies, and there will require to be some deviations in this case from the established rules of the Commissioners, but none inconsistent with the general purpose and object of the Act; namely, the facilitating the operations of such societies, and promoting emigration to the colony.

It is of importance an announcement should be made that the emigration of the parties in question will not be delayed beyond October.

If a ship cannot be obtained, and if arrangements cannot be made with the Commissioners, then a statement to the public must be issued accounting for the failure of the Society to carry out their intentions in terms of his Excellency the Governor's letter.

I would be willing to go to London to arrange matters with the Commissioners if such were necessary.

Excuse me troubling you, but you can understand that the Committee as well as myself are feeling anxious to prevent disappointment to the parties who have been led to expect they will get away.

I am, &c.

S. Walcott, Esq.

(signed) John Crawford.

Sub-Enclosure 4, to Enclosure 1, in No. 6.

Sir,

Colonial Land and Emigration Office,
Park-street, Westminster, 29 August 1854.

I AM directed by the Colonial Land and Emigration Commissioners to acknowledge the receipt of your letter of 26th instant, stating that you have been unable to engage a vessel for the conveyance of the emigrants brought forward by the "Scottish Australian Society;" that these emigrants, numbering between 300 and 400 adults, have been led to expect that they

they will get away this month or next; that the single men would be willing to bind themselves to pay 10*l.*, as the balance of their passage-money, during the two years of their service after arrival; and that it is important that an announcement should be made that the emigration of these persons should not be delayed beyond October. Under these circumstances you request that the Commissioners will take up a ship for their conveyance to sail from the Clyde.

In reply, I am to remind you that the Commissioners do not put the same interpretation as you do on the letter addressed to the Scottish Australian Emigration Society by the Colonial Secretary of New South Wales. You appear to be of opinion that that letter was intended to confer peculiar privileges, besides the waiver of ineligibility on account of employment, on the emigrants connected with the Society. The Commissioners on the other hand are of opinion that it was not the intention of the New South Wales Government to put ineligible emigrants on a more favourable footing than eligible, but merely to remove, in consideration of an extra payment, the prohibition which has heretofore absolutely excluded such persons, leaving them in all other respects on the same footing, and subject to the same rules as ordinary and eligible emigrants.

But if this be the proper interpretation, it follows that the emigrants on whose behalf you apply could be accepted only on coming under the same contracts of service as are required from ordinary emigrants, and that the Commissioners would have no authority to remit that condition in the case of females, or fathers of families, as would appear from your letter to be contemplated. Furthermore, it would be necessary that the emigrants should come under the same rules as to age, state of health, number of young children, &c. It is clear, therefore, that without a much fuller knowledge of who and what the people in question are, the Commissioners cannot come to any decision as to the granting them passages or not.

In regard to taking up a ship to sail from the Clyde, I am to remind you that the Commissioners, having no *dépôt*, nor the means of obtaining one either at Glasgow or Greenock, could not, except in an extreme case, adopt that course. I am further to state, that even if this objection were waived, they would not be justified in taking up a vessel from the Clyde unless it could be obtained at no greater cost than from other ports, which is not likely.

The utmost that the Commissioners can do is to offer now to supply you with forms for the persons in whose behalf you apply, and to accept such as might appear eligible on those forms, and be prepared to come under the engagements required by the New South Wales Act. Passages would then be found for them as opportunities occurred in the Commissioners' ordinary ships; but as the Commissioners could not displace their more eligible emigrants to make room for those in question, I am to add, that they see no prospect of being able to offer passages to any of them before the middle or end of November, the number of ordinary emigrants already accepted and passed being sufficient to fill the ships which will be taken up to that time.

In conclusion I am to state, that although the Commissioners regret the disappointment which will be caused to the persons for whom you apply, they must most distinctly disclaim all responsibility on that account. What has now happened is what they anticipated, and what their former cautions to you were intended to prevent. Had you adopted the course originally suggested, it is clear that the individuals in question would have known from the first what they had to expect, and that no disappointment would have arisen.

I have, &c.
(signed) S. Walcott,
Secretary.

J. Crawford, Esq.

Sub-Enclosure 5, to Enclosure 1, in No. 6.

Colonial Land and Emigration Office,
23 September 1854.

Sir,

I AM directed by the Colonial Land and Emigration Commissioners to acknowledge your letter, without date, received on the 22d instant, enclosing a copy of the Report of the Committee of the Scottish Australian Emigration Society, and of the resolutions passed at a general meeting of the members, held on the 19th instant. A list and schedules have also been received of 493 persons, equal to 400½ statute adults, who have expressed their willingness to contribute towards their passages, at the rate of 5*l.* per statute adult, and to execute the agreements required by the Colonial Act.

The cases of these persons will, in due course, be examined in the same manner, and subject to the same rules as those of ordinary applicants, the objection as to occupation alone being waived.

Such of the candidates as may be passed will be provided with passages as soon as practicable, having due regard to the prior claims of the body of applicants whose papers have been already some time in the office.

I am to request that you will, without delay, forward, in a final list, the few outstanding cases to which you allude, as the Commissioners, for the purposes of their arrangements, require, as mentioned in my letter of the 7th instant, at once to know the whole number of people for whom they may have to provide.

NEW
SOUTH WALES.

The Commissioners have no wish to observe on the tone or tenor of the Report and Resolutions which accompanied your letter, but as the Association and yourself appear still to be labouring under a misconception on some points, I am directed to restate briefly the main features of the case.

The members of the Society were not eligible for passages under the existing Regulations, and could not consequently be assisted by the Commissioners. They made, therefore, a special appeal to the Colonial Government to relax the regulations in their favour. This the Colonial Government declined to do. All that they would consent to was, to waive the objection as to occupation alone, in consideration of a small extra payment, affixing, however, a condition, that the balance of the cost of passage to be paid by the colonial funds was to be less than that of the "most eligible emigrants," that is, emigrants of the first and second class, specified in the Commissioners' Regulations.

Two courses were then open to the Association, either to proceed on these terms without the intervention of this Board, or to seek the intervention of the Board.

In the former case the members of the Association would have to provide their own passages in the first instance, and pay 5*l.* per statute adult, but in the latter they would be provided with passages by the Commissioners, and have to pay the same contribution, and be subjected besides to the same conditions as the Commissioners' emigrants.

Having tried and failed to carry out your arrangements under the first plan, you then fell back on the second. But, unquestionably, it was never intended that you should enjoy the advantages and ignore the disadvantages of both, for that would be to place the members of the Association on a more favourable footing than the most eligible emigrants, contrary to the clear intentions of the Colonial Government. This, however, is what virtually you have been contending for. If, as frequently explained, the Association chooses to avail itself of the Commissioners' assistance, they must take that assistance in the mode, and subject to the restrictions, that the Commissioners are alone authorised to grant it; and when it is argued, as in the Report of the Committee, that no other condition, except the payment of 5*l.*, could have been intended, because the letter of the Colonial Secretary is dated in March, whereas the Regulations (it is presumed you mean the Commissioners' Regulations) were not known or promulgated in the colony before the end of May last, the argument is founded on a misconception of the facts.

The Commissioners' Regulations, on the points in question, merely embodied the provisions of the Colonial Act, which was passed in December 1852, and were consequently fully known in the colony long before the Colonial Secretary's letter was written.

When, therefore, the Board required the members of the Association seeking passages in their ships to conform to the ordinary Regulations, they were only carrying out the provisions of the colonial law and the intentions of the colonial authorities, nor do they conceive that they have any option in the matter.

The Commissioners required their own schedules to be filled up, not as you, without warrant, suppose for the sake of "annoyance, and to create delay, trouble, and expense," but in accordance with their general practice, and because they had given you notice at the outset, namely, in my letter of the 24th of June, and before you could have used any forms of your own, that such would be required, and next, because they perceived that in the regulations attached to your forms you have altered one of the most material conditions, as to the number of young children who could be taken in any one family, although your attention was particularly called to that point in my letter of the 24th June, above alluded to.

As the schedules you have sent up do, however, contain sufficient information on the respective cases for the Commissioners' purposes, the Board will not now insist on fresh ones of their own being filled up, but it must be clearly understood that the various cases will be decided only under the Regulations and conditions attached to the Commissioners' schedules. Families, therefore, with more than two children under seven, or more than three children under ten, at the time of embarkation, cannot be accepted. But the Commissioners will not insist on an equality of the sexes in each family.

You describe the applicants as ready to pay their money "on embarkation." I presume this is an oversight, and that you are aware that the money must be paid before the embarkation orders are issued.

J. Crawford, Esq.,
&c. &c.

I have, &c.
(signed) S. Walcott.

Enclosure 2, in No. 6.

Colonial Land and Emigration Office,
22 November 1854.

Sir,

WE have the honour to enclose the copy of a prospectus of the Scottish Emigration Society, which has been communicated to us by Mr. Crawford, secretary of the Society; and we would request, in pursuance of a promise that we have made to Mr. Crawford, that it may be communicated to the Governor of New South Wales.

2. This prospectus holds out the expectation that weavers and others will be enabled, on payment to the Society of fees varying from 3*s.* 6*d.* to 10*s.*, and of 5*l.* per adult to the colony, to obtain assisted passages to Australia, the remainder of the expense being paid by the colonies receiving them. What grounds exist for such an expectation we are unable to state;

state; we are not ourselves aware of any. But we are anxious to make some observations on the subject, in the anticipation that societies of this kind may ultimately require their emigrants to be sent out in ships chartered by this Board.

3. With regard to the emigration of weavers and other persons not the most qualified for the ordinary colonial pursuits, we wish it to be very distinctly understood that, unless the colonies desire emigrants of this class, there is no necessity whatever for having recourse to them, inasmuch as we find no difficulty in obtaining as many emigrants of the classes at present desired by the colonists as the colonial funds at our command (large as these funds now are) are capable of sending out.

4. And with regard to such of the emigrants as are not weavers, but are strictly eligible under our Regulations, we would point out that the society of which Mr. Crawford is secretary appears to derive a profit, to the extent of the fees, on all such emigrants, and that if such a system is set on foot in England with the sanction of the colonial authorities, its result will be to transfer the selection of emigrants from a body of officers paid by and responsible to this Board (which is therefore able to accelerate, retard, and scrutinise their proceedings), to a number of irresponsible persons, deriving their payment from the emigrant independent of this Board (except in so far as they will expect to be furnished by us with regular information), and having a pecuniary interest in inducing us to accept applicants whom we should otherwise refuse. Further, it will be impossible to ensure that the societies which may be called into nominal existence by any person to whom the emoluments of an emigration agent are worth having, will have any substantial existence, or that the persons who may constitute themselves officers of such societies will be persons of respectability.

5. We very much hope, therefore, that if it be thought desirable by the colonial Government to employ the agency of bodies of this kind, means may be taken for separating their operations clearly from those of this Board. To any persons or societies who may be thus indirectly employed by the colony, we shall be always happy to give all the assistance in our power short of adopting any responsibility for their proceedings, or allowing their operations to be mixed up with our own.

6. We need hardly say, that in pointing out the inconveniences which may arise from investing such societies with a colonial sanction, we must not be imagined to imply any opinion respecting the character or efficiency of the Scottish Emigration Society.

We have, &c.
(signed) T. W. C. Murdoch.
Frederic Rogers.

Herman Merivale, Esq.,
&c. &c. &c.

Sub-Enclosure to Enclosure 2, in No. 6.

SCOTTISH AUSTRALIAN EMIGRATION SOCIETY.

"To people Australia as rapidly as it needs to be peopled, colonisation must be planned for the benefit of the colonisers themselves. All industrious people, able and willing to work, must be permitted to go. Two sentences express the foundation of a sound system of emigration, viz., 'Association' and 'Family Colonisation.'"—*Author of "The Three Colonies of Australia."*

ASSISTED PASSAGES.

THIS Society was established on the 19th February 1853, for the purpose of instituting an economical system of Scottish emigration from the Clyde, and of procuring assisted passages to our Australian colonies, for all descriptions of working men, able and willing to advance the sum of 5 l. each adult, towards the cost of their passages, the balance to be defrayed from the colonial funds, and free passages for hand-loom weavers and others who cannot pay any part of their passage-money from their own resources.

By special despatch from the Colonial Governor of New South Wales, dated in March 1854, this Society is empowered to provide assisted passages to hand-loom weavers, and other descriptions of working men, previously enrolled as members of the Society, on payment of 5 l. each statutory adult, the balance of the cost of their passages to be defrayed from colonial funds, after arrival in the colony. They are empowered, also, to make arrangements, from time to time, with Her Majesty's Colonial Land and Emigration Commissioners, to send out the members of the Society on the same terms, and subject to the same regulations, as the emigrants sent out by the Commissioners.

Arrangements having been completed for the despatch of the first body of emigrants about the middle of November, it has been resolved to organise a second party, to sail in the course of the ensuing spring, 1855, and the following are the terms and conditions on which the enrolment of members for this party will be made:

All male adults, whether married or single (except those belonging to the class of hand-loom weavers), pay 5 s. on enrolment, and 5 s. on returning schedule. Single females, not under charge of their parents pay 2 s. 6 d. on enrolment, and 2 s. 6 d. on returning schedule. Hand-loom weavers pay 1 s. on enrolment, as members of the Association, in connection with

NEW
SOUTH WALES.

the society, and 2 s. 6 d. on returning schedule. No charge will be made for wives, or children under 14 years of age. On being enrolled, parties will receive schedules, to be filled up with names, ages, and occupations, &c., and to be returned along with the required certificates.

The principle of assisted passages, or of a uniform payment of 5 l. each statutory adult; the balance of the cost of passage, to be defrayed from colonial funds, on which the Society is authorised to conduct emigration from Scotland, is likely to be adopted by all our Australian colonies.

In the mean time parties have it in their power to emigrate to New South Wales, agreeably to the said principle; male and unmarried female adults being bound to come under indenture to serve some employer in the colony, and to repay from their earnings the sum of 10 l. sterling, towards the cost of their passages, during the period of two years, from the date of their arrival in the colony; or if sent out in the ships of the Commissioners, then subject to the same terms and regulations, as are established by them. According to these Regulations, male adults, whether married or single, and single female adults, of the class of farm and domestic servants, pay 1 l. each before embarkation, and bind themselves to pay 12 l. out of their earnings, after arrival in the colony. Other classes of working men pay 5 l. each, and bind themselves to pay 10 l. out of their earnings in the colony. Wives and children under 14, get free passages. Females under 18 years of age, will not be indentured without the consent of their parents.

The same advice and assistance will be given to the emigrants sent out under the auspices of this Society, as are afforded to those forwarded by the Colonial Land and Emigration Commissioners; and single females will be received into the dépôt, and provided with situations.

Should there be no objections to the applicant, on the score of health, character, or otherwise, approval circulars will be issued, but payment of the deposit money will not be required, until such approval circulars have been sent. Thereafter embarkation orders, mentioning the name of the ship, and place and date of embarkation, or contract tickets will be given out. Whatever alteration or modification of existing Regulations may be made, either by the Commissioners or Colonial Government, the enrolled members of this Society will get the benefit thereof.

It is expected the embarkation of the members will not be later than March or April next.

All communications to be pre-paid, and postage stamps enclosed.

Office of the Scottish Australian Emigration Society,
and Hand-Loom Weavers Association,
65, Jamaica-street, Glasgow, November 1854.

(signed) John Crawford,
Secretary.

— No. 7. —

(No. 22.)

COPY of a DESPATCH from the Right Honourable Sir George Grey to
Governor-General Sir William Denison.

Sir,

Downing-street, 11 December 1854.

I REFERRED, for the consideration of the Lords Commissioners of the Treasury, a copy of your predecessor's despatch, No. 76,* of the 16th June last, recommending, for the reasons there assigned, that the salary of Mr. H. H. Browne, the Immigration Agent at Sydney, which is borne on the Land Fund of the colony, should be increased from 500 l. to 700 l. per annum, exclusive of the temporary addition which he receives on account of the high prices of the necessaries of life, and I have to acquaint you that their Lordships have informed me in reply that they are prepared to sanction this increase; the same to date from the 1st January 1854.

I have, &c.
(signed) G. Grey.

* Page 16.

V I C T O R I A.

Despatches from Lieutenant-Governor Latrobe,

VICTORIA.

V I C T O R I A.

Despatches from Lieutenant-Governor Latrobe.

— No. 1. —

No. 1.

(No. 29.)

Lieut.-Governor
Latrobe to the
Duke of Newcastle.
10 February 1854.

COPY of a DESPATCH from Lieutenant-Governor *Latrobe* to the
Duke of *Newcastle*.

Melbourne, 10 February 1854.

(Received, 15 May 1854.)

My Lord Duke,

I HAVE the honour to transmit herewith, as required by Lord Stanley's letter of the 22d March 1845, a return of the immigrants who have arrived in this colony during the year 1853, together with a return of the persons employed in the emigration service, and of the expenses of the establishment.

I have, &c.

(signed) *C. J. Latrobe*.

Enclosure

Enclosure 1, in No. 1.

RETURN classifying the IMMIGRANTS who have Arrived in the Colony of *Victoria* from Ports in the United Kingdom, during the Year 1853.

NATIVE COUNTRY.	Nature and Extent of Assistance Afforded.	NUMBER LANDED.									DEATHS ON THE VOYAGE.								
		14 Years and Upwards.		Under 14 Years, but not under 12 Months.		Under 12 Months.		TOTAL.			14 Years and Upwards.		Under 14 Years, but not under 12 Months.		Under 12 Months.		TOTAL.		
		Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Total.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Total.
Assisted :	The whole or part of the passage-money was in all cases defrayed by the Colonial Land and Emigration Commissioners out of the Land Fund of the Colony.																		
England and Wales -		1,753	2,982	856	1,030	170	180	2,779	4,192	6,971									
Scotland -		1,026	1,550	519	567	78	91	1,623	2,208	3,831									
Ireland -		630	2,568	168	322	36	50	834	2,940	3,774									
the rest of Europe -		-	2	-	-	-	-	-	2	2									
TOTAL Assisted Immigration -		3,409	7,102	1,543	1,919	284	321	5,236	9,342	14,578	33	77	123	164	80	69	236	310	546
Unassisted :																			
England and Wales -		14,201	4,736	2,143	1,725	406	305	16,750	6,766	23,516	-	-	-	-	-	-	-	-	-
Scotland -		3,867	1,333	585	621	113	66	4,565	2,020	6,585	-	-	-	-	-	-	-	-	-
Ireland -		1,422	490	235	148	26	18	1,683	656	2,339	-	-	-	-	-	-	-	-	-
the rest of Europe -		455	97	18	17	5	-	478	114	592	-	-	-	-	-	-	-	-	-
TOTAL Unassisted Immigration -		19,945	6,656	2,981	2,511	550	389	23,476	9,556	33,032	-	-	-	-	-	-	-	-	-
GRAND TOTAL -		23,354	13,758	4,524	4,430	834	710	28,712	18,898	47,610	-	-	-	-	-	-	-	-	-

NATIVE COUNTRY.	BIRTHS ON THE VOYAGE.			Number of Agricultural Labourers.	Number of Shepherds.	Number of Domestic Servants.		Number of Mechanics engaged in Erecting Buildings, or in obtaining or preparing Building Materials.	Number of other Mechanics.	Number of Tradespeople Engaged in preparing or Selling Articles of Food.		Number of Tradespeople Engaged in Making or Selling Articles of Clothing.		Number of other Persons not included in the foregoing Columns.		Number of Ships Arrived with Immigrants.	Average Length of the Voyage.	
	Male.	Female.	TOTAL.			Male.	Female.			Male.	Female.	Male.	Female.	Male.	Female.			
Assisted :																		
England and Wales - - -	152	151	303	931	27	6	1,282	432	147	13	2	122	141	1,101	2,767	43	106.9	
Scotland - - - - -				645	139	6	830	105	51	6	-	38	22	633	1,356	-	-	
Ireland - - - - -				539	12	3	2,023	30	5	7	-	2	51	236	866	1	-	
the rest of Europe - - -				-	-	-	-	-	-	-	-	-	1	-	1	-	-	
TOTAL Assisted Immigration - }	152	151	303	2,115	178	15	4,135	567	203	26	2	162	215	1,970	4,990	44	106.9	
Unassisted :																		
England and Wales - - -	-	-	-	2,251	69	147	89	690	1,130	495	-	606	56	11,362	6,621	265	-	
Scotland - - - - -	-	-	-	685	103	34	39	253	401	139	11	146	9	2,804	1,961	74	-	
Ireland - - - - -	-	-	-	473	17	13	8	38	73	31	-	54	-	984	648	2	-	
the rest of Europe - - -	-	-	-	26	-	4	-	2	34	17	-	29	-	366	114	-	-	
TOTAL Unassisted Immigration - }	-	-	-	3,435	189	198	136	983	1,638	682	11	835	65	15,516	9,344	341	-	
GRAND TOTAL -	-	-	-	5,550	367	213	4,271	1,550	1,841	708	13	997	280	17,486	14,334	385	-	

Remarks.—The Passenger Lists during 1853 were, in many instances, extremely imperfect.

* The Column "Male" includes all Male Children under 14 years of age.

† The Column "Female" includes all Married Women, and also Female Children under 14 years of age.

(By Authority)

Immigration Office, Melbourne,
26 January 1854.

(signed) Alfred J. Agg,
For the Immigration Agent.

Enclosure 2, in No. 1.

RETURN of the PERSONS employed in the IMMIGRATION SERVICE on the 26th day of January 1854.

NAME.	OFFICE.	SALARY.	DATE of APPOINTMENT.	REMARKS.
MELBOURNE:		£. s. d.		
A. J. Agg - - -	Immigration Agent - - - - -	— per annum -	11 May 1852 -	
	Chief Clerk and Assistant Emigration Officer.	550 - - -		
George Seath - - -	Second Clerk - - - - -	450 - - -	10 March " -	
A. Caldecott - - -	Third Clerk and Accountant - - -	400 - - -	30 August " -	
W. F. Osborne - - -	Fourth Clerk - - - - -	400 - - -	10 April " -	
L. P. Poingdestre - - -	Fifth Clerk - - - - -	350 - - -	28 June " -	With 50 per cent. for house rent.
John Lamb - - -	Sixth Clerk - - - - -	350 - - -	17 July " -	
James Morgan - - -	Seventh Clerk - - - - -	350 - - -	19 November " -	
James D. Bruce - - -	Eighth Clerk - - - - -	300 - - -	11 January " -	
H. E. Stratford - - -	Ninth Clerk - - - - -	275 - - -	18 August " -	
P. A. Allsop - - -	Tenth Clerk - - - - -	225 - - -	14 September " -	
	Housekeeper - - - - -	30 - - -	1 January 1854 -	With quarters, wood, wood, and water.
	Messenger - - - - -	- 3 - per diem -	27 October 1851 -	
Married Couple's Depot -	Overseer of Depot—Wife acts as Matron	350 - - - per annum -	1 November 1848 -	
	Cook - - - - -	- 4 6 per diem -	17 November 1852 -	
	Storekeeper - - - - -	- 4 6 " -	24 February 1853 -	
	Labourer - - - - -	- 4 6 " -	25 November " -	
Single Female's Depot -	Matron - - - - -	100 - - - per annum -	10 July 1849 -	With quarters, rations, and water.
	Sub-Matron - - - - -	40 - - - " -	22 August 1853 -	
	Cook - - - - -	30 - - - " -	22 November " -	
Hospital - - - - -	Nurse - - - - -	60 - - - per annum -	1 January 1852 -	
	Assistant-Nurse - - - - -	30 - - - " -	29 December " -	
	Cook - - - - -	30 - - - " -	1 January " -	
Unassisted Immigration Asylums, Batman's Hill and South Yarra:				
James Stone - - -	Clerk in charge - - - - -	300 - - - per annum -	2 November 1852 -	-- With 50 per cent. for house rent.
	Overseer (Batman's Hill) - - - - -	- 10 - per diem -	26 October " -	
	Overseer (South Yarra) - - - - -	- 10 - " -	18 November " -	With quarters, rations, wood, and water.
	Labourer - - - - -	- 4 6 " -	6 January 1853 -	
WILLIAMSTOWN:				
John Wilkins - - -	Assistant Immigration Agent - - -	500 - - - per annum -	1 November 1852 -	50 per Cent. for house rent.
Charles Broad - - -	Clerk and Assistant Emigration Officer -	350 - - - " -	1 " " -	
	Office Lad - - - - -	80 - - - " -	26 October 1853 -	
	Two Coxswains - - - - - each	- 14 - per diem.		
	Carpenter - - - - -	- 17 6 " -		
	Twelve Boatmen - - - - - each	- 12 - " -		
GEE LONG:				
C. E. Strutt - - -	Assistant Emigration Agent - - -	700 - - - per annum -	9 June 1852 -	50 per cent. for house rent.
George Heath - - -	Chief Clerk - - - - -	350 - - - " -	1 October 1853 -	
Henry Ford - - -	Clerk and Assistant Emigration Officer -	300 - - - " -	10 August 1852 -	
Arthur Graham - - -	Clerk - - - - -	300 - - - " -	8 November " -	
Edward Black - - -	Clerk - - - - -	250 - - - " -	9 February 1853 -	With quarters, rations, wood and water.
	Overseer and Matron - - - - -	- 10 - per diem -	13 October 1852 -	
	Hospital Assistant - - - - -	- 3 6 " -	11 January 1853 -	
	Ditto Nurse - - - - -	- 3 - " -	11 " " -	
	" Cook - - - - -	- 4 6 " -	18 " " -	
	Coxswain - - - - -	- 14 - " -		
	Carpenter - - - - -	- 17 6 " -		
	Four Boatmen - - - - - each	- 12 6 " -		
PORTLAND:				
John Findlay - - -	Assistant Immigration Agent - - -	600 - - - per annum -	12 January 1853 -	25 per cent. for house allowance.
T. Somerville - - -	Clerk - - - - -	350 - - - " -	20 September 1852 -	
	Overseer and Matron - - - - -	- 8 6 per diem -	1 February 1853 -	With quarters, rations, wood and water.
SANITARY STATION:				
D. J. Williams - - -	Surgeon Superintendent - - - - -	400 - - - per annum -	1 September 1853 -	With quarters, rations, wood and water.
J. H. Webb - - -	Storekeeper - - - - -	200 - - - " -	18 August " -	
	Overseer - - - - -	- 10 - per diem -	1 January " -	
	Two Labourers - - - - - each	50 - - - per annum -	1 " " -	
	Cook - - - - -	- 4 - " -	1 " " -	
	Nurse - - - - -	- 6 - " -	1 " " -	
Hulk, "Lysander" - - -	Shipkeeper - - - - -	- 15 - per diem.		
	Four Boatmen - - - - - each	- 10 - " -		

Immigration Office, Melbourne, }
10 February 1854.Samuel Barrow,
Immigration Agent.

VICTORIA.

— No. 2. —

(No. 59.)

COPY of a DESPATCH from Lieutenant-Governor *Latrobe* to the Duke of *Newcastle*.

Melbourne, 15 April 1854.

(Received, 8 Aug. 1854.)

My Lord Duke,

By my despatch No. 16,* of the 17th January last, I had the honour to apprise your Grace that the sum of 100,000*l.* had been remitted by my directions to Her Majesty's Land and Emigration Commissioners, towards the charges incurred in carrying on assisted emigration to this colony, and that it was contemplated, as recommended by the Legislative Council, that at least 300,000*l.* should be so remitted during the year 1854. From some oversight, I find that I have omitted to notice the further remittance of a like sum of 100,000*l.* in the course of the month of February. I may state, that later in the year, when it may be supposed that the Emigration Commissioners' arrangements may require it, a further remittance to the same amount will be forwarded, according to the above determination.

2. I look to the maintenance of a continued stream of well-selected immigration as imperatively necessary for the continuance of that marked prosperity which has hitherto distinguished this colony.

I have, &c.

(signed) *C. J. Latrobe*.

— No. 3. —

(No. 72.)

COPY of a DESPATCH from the Officer Administering the Government to the Duke of *Newcastle*.

Melbourne, 20 May 1854.

(Received, 8 Aug. 1854.)

My Lord Duke, (Answered, 30 September 1854, No. 27, p. 48.)

EARLY in the last Session of the Legislative Council Mr. Latrobe announced to them his intention not to remit home any portion of the Land Fund for the purposes of emigration without first consulting the Council.

2. Subsequently a resolution was passed that three hundred thousand pounds should be remitted.

£. 300,000.

3. Mr. Latrobe, in his despatches, No. 16, of January 17th, and No. 59† of April 15th, has apprised your Grace of the remittance of two sums of one hundred thousand pounds each for this purpose.

+ See above.

£. 200,000.

4. I have now the honour to notify that the balance of the net proceeds of the whole sum has been transmitted by this mail to Her Majesty's Land and Emigration Commissioners; the amount is ninety-two thousand three hundred and eighty pounds, nineteen shillings.

£. 92,386. 19.

5. It is not probable that any further sums will be available in London for the purposes of emigration before the end of 1854.

6. It is scarcely necessary for me to add my entire concurrence in Mr. Latrobe's view of the vital importance to this colony of a continued stream of immigration.

I have, &c.

(signed) *John Foster*,
Administering the Government.

— No. 4. —

* Page 118 of House of Commons Paper, No. 436, 2 August 1854, "Australian Emigration."

VICTORIA.

— No. 4. —

No. 4.

(No. 73.)

The Officer
Administering the
Government to the
Duke of Newcastle.
20 May 1854.

COPY of a DESPATCH from the Officer Administering the Government to
the Duke of Newcastle.

Melbourne, 20 May 1854.

(Received, 8 Aug. 1854.)

My Lord Duke,

(Answered, 27 August 1854, No. 17, p. 48.)

I HAVE the honour to report, for Her Majesty's approval, the provisional appointment of Edward Bell, Esquire, at present provisionally Commissioner of Crown Lands for the county of Bourke, to be immigration agent for this colony, in the room of the late Samuel Barrow, Esquire, accidentally drowned while in the execution of his duty.

2. The Chief Commissioner, Mr. Powlett, will perform the duties of the office which Mr. Bell thus vacates.

I have, &c.

(signed) *John Foster*,
Administering the Government.

— No. 5. —

No. 5.

(No. 75.)

The Officer
Administering the
Government to the
Duke of Newcastle.
22 May 1854.

COPY of a DESPATCH from the Officer Administering the Government to
the Duke of Newcastle.

Melbourne, 22 May 1854.

(Received, 8 Aug. 1854)

My Lord Duke,

IN compliance with the instructions contained in Lord John Russell's circular despatch of the 11th March 1841, I have the honour to transmit the accompanying returns of immigrants, wages and prices, for the three months ending 31st March 1854.

I have, &c.

(signed) *John Foster*,
Administering the Government.

Enclosure 1, in No. 5.

ABSTRACT QUARTERLY RETURN.

IMMIGRANTS.

Months composing the Quarter, 1854.	Number of Emigrant Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Gross Number of Emi- grants arrived.	Number of Adult Labourers.	Number of Labourers hired at the place of Landing.	Number of Labourers who left the place of Landing.	Amount paid to assist them on their Journey. £. s. d.	Number of Agricultural Labourers.	Number of Shepherds.	Number of Do- mestic Servants.		Number of Mechanics en- gaged in erecting Build- ings, or in obtaining or pre- paring Building Materials.	Number of Trades- people making or selling Articles of Consumption.		Number of Trades- people engaged in making Articles of Clothing.		Number of other Mechanics, &c., not included in the fore- going Columns.	
											M.	F.		M.	F.	M.	F.	M.	F.
January - -	8	38	27	2,687	1,625	-	-	- - -	385	30	3	975	107	1	-	6	18	38	62
February - -	4	11	13	1,136	728	-	-	- - -	163	2	-	503	36	-	-	1	9	5	9
March - -	3	35	13	907	480	-	-	- - -	169	9	2	219	34	-	-	5	1	20	21
TOTALS. -	15	84	53	4,730	2,833	-	-	- - -	717	41	5	1,697	177	1	-	12	28	63	92

Enclosure 2, in No. 5.

PRICES.

RETURN showing the Average Retail Price of Provisions and Clothing in the Colony of
Victoria, for the Quarter ended 31 March 1854.

ARTICLES OF CONSUMPTION.	AVERAGE PRICES.	ARTICLES OF CLOTHING AND BEDDING.	AVERAGE PRICES.
	£. s. d.		£. s. d.
Wheat - - - per bush.	- 10 -	Males' Clothing:	
Bread, first quality - per lb.	- - 9	Moleskin Jackets - - each	- 14 -
Bread, second quality - "	- - 6	Moleskin Coats - - "	1 2 9
Flour, first quality - "	- - 9	Waistcoats - - - "	- 6 8
Flour, second quality - "	- - 7	Moleskin Trowsers per pair	1 1 9
Rice - - - - "	- - 10	Flushing Trowsers - "	- 10 -
Oatmeal - - - - "	- - 8	Coloured Shirts - - each	- 4 6
Tea - - - - - "	- 2 10	Strong Boots - per pair	1 10 -
Sugar - - - - - "	- - 8	Strong Shoes - - - "	- 13 6
Coffee - - - - - "	- 2 4	Shepherds' Coats - - each	1 16 4
Sago - - - - - "	- - 11	Socks - - - per pair	- 1 3
Meat, fresh - - - - "	- - 11½	Handkerchiefs - - each	- - 11
Meat, salt - - - - - "	- - 5½	Straw Hats - - - - "	- 10 6
Butter, fresh - - - - "	- 4 6	Females' Clothing:	
Butter, salt - - - - - "	- 3 2	Print Dresses - - - each	- 8 6
Cheese, English - - - - "	- 2 2	Merino Dresses - - - "	1 8 -
Cheese, colonial - - - - "	- 2 -	Flannel Petticoats - - "	- 10 3
Salt - - - - - - - "	- - 5	Calico Petticoats - - - "	- 4 6
Potatoes - - - - - per cwt.	2 16 -	Stockings - - - per pair	- 1 6
Wine, colonial - - - per gall.	- - -	Shoes - - - - - - - "	- 7 -
Wine, imported - - - - - "	1 - -	Caps - - - - - - - each	- 4 -
Brandy - - - - - - - "	1 12 6	Shawls - - - - - - - "	1 - -
Beer, colonial - - - - - "	- 6 -	Shifts - - - - - - - "	- 4 -
Beer, imported - - - - - "	- 16 9	Stays - - - - - per pair	- 11 -
Candles - - - - - per lb.	- 1 3	Check Aprons - - - each	- 2 -
Lamp Oil - - - - - per gall.	- - 8	Straw Bonnets - - - "	- 7 4
Soap - - - - - - - per lb.	- - 8	Flannel - - - per yard	- 1 9
Starch - - - - - - - "	- 2 4	Calico - - - - - - - "	- 3 9
Blue - - - - - - - - "	- 4 -	Bedding:	
Tobacco, colonial - - - - "	- 5 6	Blankets - - - per pair	1 5 6
Tobacco, imported - - - - "	- 7 6	Sheeting Calico - per yard	- 1 11
		Mattresses - - - - each	1 6 -
		Rugs - - - - - - - "	- 18 9

These prices are the averages of the prices paid throughout the colony, and not the Melbourne prices, which for all imported articles, are generally considerably lower.

Immigration Office, Melbourne,
11 May 1854.

By Authority,
(signed) Alfred J. Agg,
For the Immigration Agent.

VICTORIA.

Enclosure 3, in No. 5.

WAGES.

RETURN showing the Average Wages of Mechanics and others in the Colony of *Victoria*, for the Quarter ended 31 March 1854.

TRADE OR CALLING.	Average Wages per Diem, without Board and Lodging.	Average Wages per Diem, with Board and Lodging.	Average Wages per Annum, with Board and Lodging.	Highest and Lowest Rates per Diem, without Board or Lodging.	
				Highest.	Lowest.
Males :	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Carpenters - {Town -	—	—	—	—	—
Country -	1 7 6	1 — —	150 — —	1 10 —	1 — —
Smiths - {Town -	—	—	—	—	—
Country -	— 18 9	— 15 —	150 — —	25 — —	— 15 —
Wheelwrights - {Town -	—	—	—	—	—
Country -	— 17 6	— 15 —	150 — —	30 — —	— 15 —
Bricklayers - {Town -	—	—	—	—	—
Country -	1 3 6	— 16 —	— — —	30 — —	— 17 —
Masons - {Town -	—	—	—	—	—
Country -	1 10 —	— — —	— — —	1 10 —	1 10 —
Farm Labourers - - -	— — —	— 5 —	56 — —	— 6 8	— 3 4
Shepherds and Hutkeepers - -	— — —	None —	50 — —	—	—
Females :					
Cooks (plain) - - - -	— — —	— — —	44 — —	—	—
Housemaids - - - -	— — —	— — —	28 — —	—	—
Laundresses - - - -	— — —	— — —	33 — —	—	—
Nursemaids - - - -	— — —	— — —	27 — —	—	—
General House Servants - - -	— — —	— — —	26 — —	—	—
Farm-house Servants, Dairy-} women, &c. - - - -	— — —	— — —	33 — —	—	—

In the case of the country labourers, the board and lodging consists of a dwelling, with a ration of 10 lbs. meat, 10 lbs. flour, 2 lbs. sugar, and 4 ounces tea (or milk in lieu of sugar and tea, per week.

The wives of farm labourers with families do not receive this amount of money wages, as a sufficient quantity of food is generally allowed for the support of their children, and a corresponding deduction is of course made.

1. What is the expense of erecting a country dwelling suitable to an agricultural labourer?

A country dwelling of slabs or bark would cost at the present time about 100*l*.

2. What is the rent of a town lodging suitable to a mechanic and his family?

A cottage of two rooms in country townships lets for about 1*l*. 10*s*. per week.

3. What funds have been placed at your disposal during the past quarter for the relief of emigrants?

A passenger rate of 5 *s*. per statute adult is levied upon all persons arriving in the colony, and is devoted to the relief of sick and destitute immigrants. No able-bodied person requires assistance, as employment is readily obtainable.

4. Is there any fund in the district for the relief of the destitute poor?

There are an Immigrants' Aid Society, an Hospital, a Benevolent Asylum, an Orphan Asylum, and several temporary homes for houseless emigrants.

5. State

5. State the description of labour which is in request in the district?

In Melbourne, female domestic servants; in Geelong, female domestic servants, and agricultural labourers with small families; in Portland, agricultural and pastoral labourers with small families. Throughout the colony manual labour only is required.

6. Would the rate of immigration for the last quarter satisfy the existing demand for labour?

The spontaneous immigration of the last quarter has considerably fallen off as compared with the corresponding quarter of 1853. The Government immigration to Geelong and Portland has been insufficient,

7. Could it be safely increased with reference to the supplies of food in the district?

No apprehension need exist on this ground; the agricultural and pastoral capabilities of the colony are immense.

8. State any particulars relative to immigration and the demand for labour which you think may be useful?

The demand for single females in Melbourne and Geelong is daily increasing; those by late ships have been, in a great measure, unfit for the colony, as they have mostly been unused to domestic service in respectable families. The single females in each ship to Portland should not exceed the number of families on board, as the demand is necessarily limited.

By Authority.

Immigration Office, Melbourne,
11 May 1854.

Alfred J. Agg,
For the Immigration Agent.

— No. 6. —

(No. 88.)

COPY of a DESPATCH from Lieutenant-Governor Sir *C. Hotham* to the Duke of *Newcastle*.

Toorac, near Melbourne, 18 July 1854.
(Received, 6 October 1854.)

My Lord Duke,

I HAVE the honour to acknowledge the receipt of a despatch, No. 34,* of the 3d March 1854, addressed to my predecessor, transmitting a copy of a letter from the Colonial Land and Emigration Commissioners, and acquainting him that your Grace approved of the proceedings which they proposed to adopt, in regard of remittances from private individuals on account of emigration, which remittances, from various causes, may fail to be appropriated in the manner contemplated, and in reply, I have the honour to state, that the proper authority reports irregularity in the transmission of the periodical return, and, in consequence, some difficulty has arisen in refunding monies that are applied for under this authority, which has been anticipated. Were this difficulty, however, overcome, I am informed that no objection would be made in this colony to the course suggested by the Commissioners.

I have, &c.
(signed) *Charles Hotham*.

No. 6.
Lieut.-Governor
Sir C. Hotham to
the Duke of New-
castle.
18 July 1854.

* Page 141 of House of Commons Paper, No 436, 2 August 1854, "Australian Emigration."

VICTORIA.

Despatches from the Secretary of State,
The Right Honourable Sir G. Grey, Bart. M.P.

— No. 1. —

(No. 6.)

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., M.P.,
to Lieutenant-Governor Sir *C. Hotham*.

No. 1.

Sir G. Grey,
Bart. M.P., to
Lieut.-Governor
Sir C. Hotham.
30 June 1854.

Sir,

Downing-street, 30 June 1854.

I HAVE to acquaint you that your predecessor's despatch, No. 141,* of 15th August last, recommending the manner in which the emigrant ships should be apportioned to Melbourne, Geelong, and Portland, and the seasons at which they should arrive at the latter port was duly transmitted for the information of the Colonial Land and Emigration Commissioners, as was also his subsequent despatch, No. 147,† of 5 September following, containing further suggestions as to the proportion of emigrants to be allotted to the western districts.

The Emigration Commissioners have informed me that they are proceeding in the conduct of this emigration in accordance with the later views of Mr. Latrobe, as contained in his despatch of the 5th September, above adverted to.

I have, &c.

(signed) *G. Grey*.

— No. 2. —

(No. 17.)

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart. M.P.,
to Lieutenant-Governor Sir *C. Hotham*.

No. 2.

Sir G. Grey,
Bart. M.P., to
Lieut.-Governor
Sir C. Hotham.
27 August 1854.
‡ Page 44.

Sir,

Downing-street, 27 August 1854.

I HAVE to acknowledge the receipt of a despatch, No. 73,‡ of the 20th of May last, from the Officer administering the government of Victoria, reporting that, on the death of Mr. Barrow, the immigration agent for the colony, he had provisionally appointed Mr. Edward Bell to discharge the duties of that office.

Having in a separate despatch of this date confirmed the appointment of Mr. Bell as Commissioner of Crown Lands for the county of Bourke, for which office Mr. Latrobe reported that he had provisionally selected him, I assume that he is only temporarily discharging the duties of immigration agent, and that his appointment to that post is not intended to be of a permanent character. I have to request that you will inform me whether I am correct in this supposition.

I have, &c.

(signed) *G. Grey*.

— No. 3. —

(No. 27.)

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., M.P., to
Lieutenant-Governor Sir *C. Hotham*.

No. 3.

Sir G. Grey,
Bart. M.P., to
Lieut.-Governor
Sir C. Hotham.
30 Sept. 1854.

Sir,

Downing-street, 30 September 1854.

WITH reference to Mr. Foster's despatch, No. 72,§ of the 20th of May last, in which he intimated that the further sum of 92,380*l.* 19*s.* would be transmitted to the Colonial Land and Emigration Commissioners for purposes of emigration, by the mail which conveyed that despatch, I have to acquaint you that the Commissioners have informed me that the amount in question has not been received by them, nor does it appear on inquiry that the money has been paid into the Treasury.

Under these circumstances, I have thought it necessary to lose no time in directing your attention to the subject, although I entertain the hope that this remittance was accidentally deferred to a later opportunity than Mr. Foster supposed.

I have, &c.

(signed) *G. Grey*.

* Page 113 } of House of Commons Paper, No. 436, 2 August 1854, "Australian Emigration."
† Page 115 }

SOUTH AUSTRALIA.

Despatches from Lieutenant-Governor Sir H. E. F. Young.

SOUTH
AUSTRALIA.

SOUTH AUSTRALIA.

Despatches from Lieutenant-Governor Sir H. E. F. Young.

— No. 1. —

No. 1.

Lieut.-Governor
Sir H. E. F. Young
to the Duke of
Newcastle.
31 January 1854.

(No. 16.)

COPY of a DESPATCH from Lieutenant-Governor Sir *H. E. F. Young* to the
Duke of *Newcastle*.

Adelaide, 31 January 1854.

(Received, 4 April 1854.)

My Lord Duke,

(Answered, 15 June 1854, No. 1, p. 62.)

At the instance of the South Australian Mining Association, I have the
honour of transmitting a renewed application for a supply of mining labour.

I have, &c.

(signed) *H. E. F. Young*.

23 January 1854.

Encl. in No. 1.

Enclosure in No. 1.

South Australian Mining Association, Adelaide,
25 January 1854.

Sir,

I HAD the honour of addressing you on the 1st October 1852, at the request of the
directors of this Association, on the subject of the insufficient supply of mining labour, with
a view to your calling his Excellency the Lieutenant-governor's attention to the matter, and
to urge the Colonization Commissioners to select and despatch to this province a considerable
number of miners and others accustomed to work in copper mines.The directors are aware that his Excellency kindly complied with their wishes imme-
diately on the receipt of my communication, and they are therefore somewhat surprised to
observe so few of the class of men they so much require arriving by the late immigrant
vessels. They would therefore respectfully request that his Excellency would again impress
upon the Colonization Commissioners the absolute want of labour of the description above
referred to, and the great advantage that would accrue to the colony by the speedy introduc-
tion of a large number of this class of labourers.

I have, &c.

(signed) *Henry Ayers*,
Secretary.

The Honourable the Colonial Secretary.

No. 2.

Lieut.-Governor
Sir H. E. F. Young
to the Duke of
Newcastle.
8 February 1854.

(No. 20.)

COPY of a DESPATCH from Lieutenant-Governor Sir *H. E. F. Young* to the
Duke of *Newcastle*.

Adelaide, 8 February 1854.

(Received, 27 May 1854.)

My Lord Duke,

I HAVE the honour of enclosing a certificate by the Assistant Commissary-
general of his receipt of Ten thousand pounds from the Colonial Treasury, as a
remittance to the Land and Emigration Commissioners.This amount is a contribution to the Emigration Fund from the Crown moiety
of the Land Fund, and is to be applied to the introduction of labour into South
Australia.

I have, &c.

(signed) *H. E. F. Young*.£. 10,000,
8 February 1854.

— No. 3. —

SOUTH
AUSTRALIA.

— No. 3. —

(No. 25.)

COPY of a DESPATCH from Lieutenant-Governor Sir *H. E. F. Young* to the Duke of *Newcastle*.Adelaide, 14 February 1854.
(Received, 27 May 1854.)

My Lord Duke,

I HAVE the honour to enclose Bills of Exchange for Fifty thousand pounds, to be applied by the Emigration Commissioners to the introduction of labour into South Australia; of this remittance Twenty thousand pounds have been charged to the Crown moiety of the Land Fund, and Thirty thousand pounds to the Emigration Fund.

I have, &c.
(signed) *H. E. F. Young*.

No. 3.
Lieut.-Governor
Sir H. E. F. Young
to the Duke of
Newcastle.
14 February 1854.

Union Bank, No. 2,270,
for £. 20,000.
Bank of Australasia,
No. 114 4,517, for
£. 15,000.
Bank of South Australia,
No. S. 841/3 for
£. 15,000.

— No. 4. —

(No. 27.)

COPY of a DESPATCH from Lieutenant-Governor Sir *H. E. F. Young* to the Duke of *Newcastle*.Adelaide, 24 February 1854.
(Received, 12 June 1854.)

My Lord Duke,

I HAVE the honour to enclose a Commissariat certificate for Five thousand pounds, as a remittance to the Land and Emigration Commissioners, to be applied to the introduction of labour into South Australia.

I have, &c.
(signed) *H. E. F. Young*.

No. 4.
Lieut.-Governor
Sir H. E. F. Young
to the Duke of
Newcastle.
24 February 1854.

£. 5,000,
24 February.

— No. 5. —

(No. 34.)

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *H. E. F. Young* to the Duke of *Newcastle*; dated Adelaide, 30 March 1854.

(Received, 18 July 1854.)

“ *Population*. ”

“ The estimated number of persons of European descent in the colony, at the close of 1853, was 78,944. The number may now be reckoned as exceeding 81,000. The departures from Adelaide are now, and for some time past have been, much fewer than the arrivals in Adelaide from Melbourne.

* * * *

“ *Immigration*. ”

“ The number of ships despatched to the colony in 1853 by the Land and Emigration Commissioners was 14, of an aggregate tonnage of 11,325 tons; the average length of voyage was 105 days; the deaths 4 per cent; the births 2³⁸/₁₀₀ per cent; the average cost of passage-money per statute adult on 13 ships (excluding Her Majesty's ship “ *Hercules*,”) was, in 1853, 18*l*. 11*s*. 1*d*. The remittances in 1853 for the introduction of labour were 149,512*l*. The subsequent remittances to this date amount to 165,000*l*.

“ The unassisted immigration into the colony in 1853 was 15,545; the excess of immigration over emigration was 8,480.

* * * *

SOUTH
AUSTRALIA.

"The Supply of Labour."

"The supply of labour in the colony continues very inadequate to the demand.

"Day labourers are receiving from 9s. to 11s.; carpenters, masons, plasterers, bricklayers, from 14s. to 17s. a day; and the butchers and bakers from 2*l.* to 3*l.* a week, besides board and lodging.

"Buildings and other works estimated for towards the middle of last year at what were then considered to be very ample amounts, are now found incapable of execution, except at an advance, generally speaking, of not less than 50 per cent. on the original estimates. Contractors are unwilling to tender for work requiring any extended period for its accomplishment, because of the uncertainty of the supply and price of labour; and calls for public tenders are so ineffectual to secure competition that in the majority of cases they are useless. The profits of investments in general continue, however, to range proportionately high. There is, too, not only a general expectation that whilst the productiveness of the neighbouring gold fields continues without much perceptible decrease, profits and wages will at least maintain their present rates, but also that gold in larger quantities than hitherto may at any moment be brought to light in this colony, the total number of licenses issued in 1853 at Echunga being 576, and that, under all the circumstances, it is rather expedient to submit to the present exorbitant price of labour than to postpone operations on the calculation that the supply of labour for ordinary industrial pursuits can be made copious enough to become cheaper within any moderate period of time. The inadequate supply of imported British labour is leading the public to consider of the expediency of encouraging an introduction of labourers from Germany, China, and India. At present the Land Fund is applicable under the Imperial Act of Parliament regulating this revenue to the passage of British emigrants only, and under the local appropriation to which the fund is about to be devolved a preference would always be entertained for British labour; yet should the existing scarcity of it continue, it will probably be considered by the local Legislature not objectionable to expend some of the fund on the introduction of Germans, of whom there are already in the colony about 8,000. The German emigration has been hitherto undertaken by private enterprise, and in very many cases in an expectation that the emigrant would gradually repay his passage-money. This expectation has not generally been realised; nevertheless to the public the migration of Germans has proved highly satisfactory. The introduction of races so alien to Europeans as Chinese and Coolies will never, I trust, be promoted by a grant of public money. In small numbers they would, no doubt, be useful as shepherds, herdsmen, gardeners, and domestic servants, and in these capacities would quickly make money, and raise themselves into the condition of hucksters, shopkeepers, and petty tradesmen; but the private interests thus temporarily benefited can be no compensation for the permanent disadvantage of detracting from the exclusively Anglo-Saxon character of the population, which it is politic to maintain, as most conducive to the highest state of civilization, and necessarily includes sound morality, based on the Christian religion.

"Our remittances for British labour have been large, and are likely, I trust, to continue so; but viewing the difficulties and delays which have been experienced in expending these funds under the existing regulations, it is worthy of consideration whether the stream of emigration may not be made more copious and regular by conceding free passages, without exacting any payment for outfit, or on any other account; and by relaxing in many cases the rules as to ages and sexes, thus facilitating the migration of families in instances where the numbers are such as to compensate for the apparent drawback either of the advanced age of the parents, or in other cases, of the extreme youth of the children.

"The existing system of exacting advances is no doubt calculated to make the emigration fund go further; but the urgency of the demand for labour is so great that these advances might not unwisely be charged to the emigration fund rather than to individuals.

"I would also urge that purchasers of land nominating emigrants, or delegating this nomination to their friends or relatives in Great Britain, may with great advantage

advantage to the colony be assisted in every possible manner by the agents of the Emigration Board at the different outports. I fear that the regulations established in England, and intended to check the departure from the colony of newly-arrived emigrants are of no practical utility; and I believe that this risk is not so great now as it was on the first opening of the Victoria gold fields.

“Our best policy is to confide in the attractiveness of South Australia as sufficient either to retain the emigrant, or to lead him to return again. However desirable it would be to keep the emigration fund replenished by deductions from wages to cover the cost of passage-money, experience is against the probability of such a system proving successful, except perhaps in the instance of the Highlanders recently introduced under peculiar obligations to private benefactors. Funds have been provided for several works of great public utility, and on these and on numerous objects of private enterprise there is a wide field for the employment of additional imports of labour. The Torrens, Light, Gilbert, Wakefield, Broughton, and Rocky Rivers, are to be supplied with eight public bridges, for which votes have been secured, and railways and electric telegraphs would be all the earlier constructed if the local labour-market were in a more satisfactory condition.

“No better criterion, however, of the demand for labour can be cited than that of the large and regular sales of Crown lands.

“That labour is required to cultivate the land is illustrated in two instances which have recently come to my knowledge, where from 50*s.* to 70*s.* were demanded per acre for the ploughing, harrowing, and sowing.

“The directors of the Burra Burra copper-mine, although they acutely feel the inadequacy of this supply of labour, nevertheless in their last annual report consider it particularly satisfactory at such a juncture that ground in shallow workings has been discovered, during the last six months, singularly pregnant with new ore; and they trust soon, by the arrival of additional miners, to be enabled to report on the lodes in the deep workings.”

— No. 6. —

(No. 40.)

COPY of a DESPATCH from Lieutenant-Governor Sir *H. E. F. Young* to the Duke of Newcastle.

Adelaide, 12 April 1854.
(Received, 18 July 1854.)

My Lord Duke,

I HAVE the honour herewith to transmit the report of the immigration agent for the quarter ended 31st ultimo.

I have, &c.

(signed) *H. E. F. Young.*

No. 6.

Lieut.-Governor
Sir *H. E. F. Young*
to the Duke of
Newcastle.
12 April 1854

Enclosure in No. 6.

COPY of the Immigration Agent's Report, for the Quarter ended 31 March 1854.

Sir,

Immigration Office, Port Adelaide, April 1854.

I HAVE the honour to transmit for the information of his Excellency the Lieutenant-governor, the Report of the Immigration Department for the quarter ended 31 March 1854.

During that quarter, seven ships, chartered by the Colonial Land and Emigration Commissioners, arrived, bringing to this colony an aggregate number of 1,760 souls.

The “David Malcolm” arrived from Plymouth on the 3d January, after a passage of 105 days, with 220 immigrants. Four deaths and two births took place at sea. There had been very little sickness during the voyage; the immigrants appeared healthy, and expressed themselves happy and contented.

SOUTH
AUSTRALIA.

The "Emerald Isle" arrived from Plymouth the 16th January, after a passage of 97 days, bringing to the colony 227 immigrants, of whom 92 were single women. Only one person died at sea, a boy of five years old; there were two births at sea. This ship arrived in a most satisfactory manner.

The "William Hammond" arrived from Southampton on the 18th January, after a passage of 93 days, with 265 immigrants. Four deaths of children and one birth took place at sea. This vessel also arrived in a very satisfactory state.

The "Sultana" arrived on the 3d of February, after a passage of 92 days, from Plymouth, with 252 immigrants; five deaths—two of adults and three of children; and three births took place at sea. This vessel arrived in very excellent order.

The "Hyderabad," from Southampton, arrived on the 14th March, after a passage of 99 days, with 307 immigrants. Four births and twelve deaths occurred at sea and before disembarkation. Much discontent prevailed on board amongst the immigrants, which made it necessary for the Immigration Board to investigate the nature and causes of the complaints.

It appeared that there had been, during the voyage, a lamentable want of co-operation between the master and surgeon of the ship. The immigrants generally complained of an insufficient supply of lamps. It appeared on inquiry that, on leaving England and for some time after, 18 lamps were lighted at dark in the part of the ship appropriated to the immigrants, but it was shown that the surgeon-superintendent had not taken the precaution of having any of these extinguished at bedtime; and when the master of the ship went below on two occasions to see that all was safe, he found all the lamps lighted after midnight. On the first occasion he spoke to the surgeon, who did not rectify the evil; and, considering that such a state of things, if permitted to continue, would seriously endanger the safety of all on board, he took upon himself to limit the number of lamps lighted at sunset to five amongst the immigrants, one in the hospital, and one in the matron's room. On this occasion, the Board could not blame the master for interfering, when the surgeon so far neglected his duty.

The usual custom observed on board of emigrant ships is, for the surgeon-superintendent to allow a sufficient number of lamps to be lighted according to his discretion, so that the people may have sufficient light to enable them to work or read in the evenings; but it is invariably the case that all lights are extinguished at bedtime, except one at each hatchway, which is kept burning all night. In this vessel, the circumstance of the lamps having been extinguished by the orders of the master caused a feeling of hostility to arise against him which the surgeon seems to have endeavoured to encourage; and, during the whole voyage, an opportunity was taken of magnifying every difficulty and complaint, and of causing it to appear to the immigrants that the surgeon was their friend and the master their enemy.

On a careful consideration of all the complaints laid before them, the Immigration Board came to the conclusion that the surgeon-superintendent was chiefly to blame for any discontent which may have arisen. In the Report of the Immigration Board to his Excellency the Lieutenant-governor, they state:—"Had the surgeon-superintendent been unblameable in his own conduct, we should have viewed with less distrust his charges against the captain; but it is most clearly shown, that the surgeon-superintendent was discovered after the usual hours of retiring to rest, sitting in the pantry with the steward, drinking wine which had been brought from the hospital stores. It is also clearly proved, that the surgeon allowed the boatswain to frequent the young women's apartments in the evening, under the pretence that he was in love with and about to marry one of the single girls. Such behaviour in a surgeon-superintendent cannot be too strongly condemned; it tends to undermine all regularity and order, and to introduce insubordination and confusion."

The "Sir Thomas Gresham," from Plymouth, arrived on the 19th of March, after a passage of 109 days. There were eight births and four deaths during the voyage. In this ship, complaints of a very serious nature were made, and investigated by the Immigration Board. I regret to state that the surgeon-superintendent has, since the arrival of the ship, died in the colonial hospital.

The "Sir Edward Parry" sailed from Plymouth on the 20th December 1853, and arrived here on the 25th March, making the passage in 95 days. Four deaths and five births occurred at sea.

In nearly all the ships which arrive, the state of the water-closets is a source of constant annoyance and discomfort; the plumbers' work seems to have been executed in a very careless manner. To obviate the continued complaints on this subject, the Commissioners have had manufactured, under their directions, and with the professional assistance of an engineer peculiarly versed in such matters, a new description of water-closets, which they hope will be free from most of the defects which have hitherto caused complaints.

A question having arisen as to the legal claim of owners of vessels taken up by the Commissioners to passage-money on account of immigrants who died in quarantine, or on board previous to the expiration of the 14 days allowed for disembarkation, the Commissioners have introduced a clause into their charter-parties providing that those who die on board, within the 14 days allowed for disembarkation, are to be considered as having died at sea, and are not to be paid for; but that all who die after the 14 days are to be paid for in the same manner as immigrants landed safely in the colony. Following out the same principle, it is further provided, that within the same period of 14 days, the immigrants, whether they remain on board or are placed in a lazaretto or receiving ship, are to be lodged and maintained at the expense of the owners, but after the 14 days at the expense of the

the Colonial Government; and if the use of the ship should be required for the passengers beyond the lay-days, demurrage is to be paid to the master by the Colonial Government, at the rate of 4½*d.* per registered ton per day. Besides the clause in the charter-party above alluded to, other alterations are made with a view to the comfort of the immigrants; the first in importance is an alteration in the dietary, having reference more especially to children. In future, children between 10 and 14 years of age are to receive two-thirds of an adult's rations, instead of half as heretofore; those between two and 10 years are to receive half rations; and a special scale has been introduced for children between two years and four months, by which eggs and milk is to form a considerable part of their diet.

In the "Sir Edward Parry," the only vessel which has arrived since the new charter-party came into operation, the eggs remained good for a month only after the commencement of the voyage; so that unless some better means of preserving them can be adopted, they will not answer the object intended.

These alterations have been introduced after consultation with medical men of high standing, who have given particular attention to the diet of children; and it is hoped that the new system of diet for young children will tend to promote the health of that class, and to reduce the general mortality on board of emigrant ships.

I am desirous of calling the attention of his Excellency the Lieutenant-governor to the fact, that the preserved meat put on board some of the emigrant ships is in many cases of very inferior quality, a very large proportion of the quantity put on board being actually unsound and unfit for human food. This was the case in the "Sir Thomas Gresham," at every weekly issue it being necessary to throw many tins overboard; but there were a sufficient number of tins of sound meat to give to all their full rations during the voyage, but on arrival at Port Adelaide there remained only four tins, which I caused to be opened, and found one out of the four quite putrid. There was no brand or manufacturer's name on the tins, and I know not from whom they were purchased. I consider an evil of this kind well worthy the attention of the Commissioners in England. Means may be taken to oblige the owners to purchase food of this description from manufacturers of known character.

Though by the returns it appears that a very large number of single young women arrived, yet they do not seem generally of the class most in demand as domestic servants—many of them having been accustomed only to the roughest kinds of farm work. There is at present a very great demand for domestic servants of a class superior to those who are generally forwarded to this colony.

The proportion from the three kingdoms of the immigrants during the last quarter is as follows: England, 795; Scotland, 117; Ireland, 848; by which it appears that the immigration from Ireland is in excess of its due proportion.

I have, &c.
(signed) *H. Duncan, M. D.,*
Immigration Agent.

The Hon. the Colonial Secretary.

No. 1.—EXTRACT from the ABSTRACT QUARTERLY RETURNS.

IMMIGRANTS.

Months composing the Quarter.	Number of Emigrant Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Gross Number of Immigrants arrived.	Number of Adult Labourers.	Number of Agricultural Labourers.	Number of Shepherds.	Number of Domestic Servants.		Number of Mechanics en- gaged in erecting Buildings, &c., in obtaining or preparing Building Materials.	Number of Trades- people making or selling Articles of Consumption.		Number of Trades- people engaged in making Articles of Clothing.		Number of other Mecha- nics, &c., not included in the foregoing columns.
								M.	F.		M.	F.	M.	F.	
January - - -	3	9	5	712	16	79	4	-	204	-	-	-	-	-	84
February - - -	1	5	3	252	2	40	2	-	34	-	-	-	-	-	51
March - - -	3	20	17	789	12	123	5	4	202	-	-	-	-	-	66
TOTALS - - -	7	34	25	1,753	30	242	11	4	440	-	-	-	-	-	201

Single women fitted for farm work are included under the head of Domestic Servants.

* * * * *

[The latest return of prices and wages will be found at page 60.]

SOUTH
AUSTRALIA.ABSTRACT RETURN of IMMIGRATION and EMIGRATION at *Port Adelaide*, during the
Quarter ended 31 March 1854.

NAME of PORT.	IMMIGRATION.				EMIGRATION.			
	Adults.		Children.		Adults.		Children.	
	M.	F.	M.	F.	M.	F.	M.	F.
GREAT BRITAIN :								
London - - - - -	628	943	205	250	116	59	27	21
Liverpool - - - - -	14	18	2	1	—	—	—	—
Bristol - - - - -	2	1	—	—	—	—	—	—
Glasgow - - - - -	13	7	6	5	—	—	—	—
Dundee - - - - -	4	1	—	—	—	—	—	—
BRITISH COLONIES :								
Melbourne - - - - -	1,214	226	101	50	1,075	413	148	89
Launceston - - - - -	5	2	—	—	—	—	—	—
Hobart Town - - - - -	7	1	—	—	—	—	—	—
Sydney - - - - -	6	5	4	1	20	2	1	1
Portland - - - - -	6	3	2	1	5	2	1	1
Freemantle - - - - -	52	25	18	17	—	—	—	—
Geelong - - - - -	—	—	—	—	3	—	—	—
Calcutta - - - - -	—	—	—	—	3	—	—	—
Mauritius - - - - -	—	—	—	—	2	—	—	—
Bombay - - - - -	—	—	—	—	—	1	—	—
Ceylon - - - - -	1	1	—	—	29	13	2	3
FOREIGN STATES :								
Hamburgh - - - - -	172	94	48	41	—	—	—	—
Manila - - - - -	1	—	—	—	—	—	—	—
Lombock - - - - -	—	—	—	—	2	—	—	—
GENERAL SUMMARY :								
Great Britain - - - - -	661	970	213	256	116	59	27	21
British Colonies - - - - -	1,291	263	125	69	1,137	431	152	94
Foreign States - - - - -	173	94	48	41	2	—	—	—
	2,125	1,327	386	366	1,255	490	179	115
TOTAL - - - - -	2,511	1,693	—	—	1,434	605	—	—
EXCESS of MALES - - - - -	818	—	—	—	829	—	—	—

Immigration, 4,204; Emigration, 2,039. Excess of Immigration, 2,165.

* * * * *

— No. 7. —

No. 7.
Lieut.-Governor
H. E. F. Young
to the Duke of
Newcastle.
9 July 1854.

(No. 59.)

COPY of a DESPATCH from Lieutenant-Governor Sir *H. E. F. Young* to the
Duke of *Newcastle*.

Adelaide, 9 July 1854.

(Received, 6 Oct. 1854.)

My Lord Duke,

I HAVE the honour to inform you that there is at present in the local Treasury 100,000*l.* available as a remittance for emigration purposes for 1854, in addition to sums previously sent, the transmission of which at present, either through the Commissariat or the local banks, is not capable of being effected, except at a cost which it is not advisable to incur, viz., 4 per cent.

I request that the Land and Emigration Commissioners may be instructed to reckon on this remittance taking place within the next six months, and not, therefore, to delay arrangements for sending emigrants to the colony.

I have, &c.

(signed) *H. E. F. Young*.

— No. 8. —

SOUT
AUSTRALIA.

— No. 8. —

(No. 61.)

COPY of a DESPATCH from Lieutenant-Governor Sir *H. E. F. Young* to the Duke of *Newcastle*.No. 8.
Lieut.-Governor
Sir *H. E. F. Young*
to the Duke of
Newcastle.
14 July 1854.

Adelaide, 14 July 1854.

(Received, 6 Oct. 1854.)

My Lord Duke,

I HAVE the honour of enclosing the usual report of the emigration agent for the quarter ended the 30th ultimo.

I have, &c.
(signed) *H. E. F. Young*.

Enclosure in No. 8.

IMMIGRATION AGENT'S REPORT, for the Quarter ending 30 June 1854.

Sir,

Immigration Office, Port Adelaide, 12 July 1854.

I have the honour to transmit, for the information of his Excellency the Lieutenant-governor, the Report of the Immigration Department for the quarter ending 30 June 1854. During that period of time, seven ships, chartered by the Land and Emigration Commissioners, have arrived bringing to the colony an aggregate number of 1,999 souls.

Encl. in No. 8.

The "Taymouth Castle" arrived from Plymouth on the 3d of May, after a passage of 86 days, with 295 emigrants; 11 births and two deaths occurred at sea. The ship was in very good order. The arrangement of the berths in this vessel was on a different system from any hitherto employed. They were grouped together in blocks on the telescope principle, so that when not in use they might be reduced to half their size; and the tables were constructed in such a manner as to be allowed to occupy the vacant space during the day. I am not disposed to look on this system as being a desirable mode of berthing emigrant ships. When it becomes necessary to allow one emigrant to remain in bed during the day, the table in that group of berths cannot be used, and about 11 persons are put to great inconvenience for the sake of one. Where no great amount of sickness prevails, such a system might not seriously interfere with the general comfort of the ship, as arrangements might be made to meet individual cases of temporary sickness; but were any general epidemic to prevail, the inconvenience produced by the wants of the tables would be excessive. The inner half of the bottom boards of the berths, constructed in the manner described, were fixtures; this is decidedly objectionable, as it interferes with the proper cleaning of the ship. The surgeon-superintendent recommends that the different beds should be numbered, as great disturbance was caused amongst the young women every time the beds were taken on deck, by their disputes about ownership. In this ship there was put on board by the Commissioners an oven capable of baking about 160lbs. of bread at a time, in order to afford the emigrants, especially the women and children, an occasional supply of soft bread; the supply of flour to the emigrants was, by this means, issued to them four times in the week, in the shape of soft bread. This is a great improvement, and, I think, if adopted in all ships would not only add greatly to the comfort but also to the health of the people, if precautions were taken that means are used for properly leavening the bread, so as to make it light and digestible.

The "Time and Truth" arrived from Plymouth on the 8th of May, after a passage of 118 days; bringing to the colony 239 souls; six deaths and four births took place during the voyage. This vessel arrived in very excellent order. The fresh potatoes which were put on board at Plymouth were found after 12 days to be unsound, so that there was not a sufficient supply of preserved potatoes to last the voyage; in other respects, the provisions and water were abundant and good. The surgeon-superintendent suggests that an addition should be made to the quantity of the *Sp. Æth. Nitric.* put on board under the charter-party; I have had no complaint made on this head by other any surgeon.

The "John Bunyan" arrived from Liverpool on the 22d May 1854, after a passage of 100 days; bringing to the colony 318 souls; 29 deaths and four births took place at sea. The great mortality in this ship was caused by measles and scarlet fever, both of which broke out within four days after the ship left Liverpool. These diseases appeared first among the single women, and went right through the ship to the fore-castle amongst the sailors. When the ship arrived the disease had ceased, and the general health was very

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good. The surgeon-superintendent appears to have experienced some difficulty in managing the single women, a few of whom were not well-behaved. In consequence of irregularities occurring in the evening he was obliged to diminish the number of lights which are usually allowed: this caused some dissatisfaction, but, from the circumstances, he was quite justified in the mode of punishment which he adopted. It is to be regretted that, on this occasion, the innocent were put to inconvenience on account of the ill-behaved.

The "Royal Charlie" arrived from Southampton on the 24th of May, after a passage of 128 days, bringing to the colony 225 souls; 13 births and two deaths occurred at sea. There was much dissatisfaction and discontent in this ship, which seemed to have been caused by a want of judicious management of the people. The medical comforts were given away without proper discretion during the early part of the voyage, and were all expended long before the vessel arrived in this port. This, with other evidences of injudicious management were apparent.

The "Fortune" arrived from Plymouth on the 6th of June, after a passage of 102 days, bringing to the colony 244 souls; four births and one death took place at sea. This vessel arrived in very excellent order in all respects; the people were clean, tidy, and well-behaved, and the greatest harmony prevailed on board.

The "Joseph Rowan" arrived on the 16th of June, after a passage of 88 days, bringing to the colony 373 souls; four births and two deaths occurred at sea. This ship also arrived in very excellent order; and great credit is due to all concerned in the management of the people.

The "Trafalgar" arrived from Plymouth on the 28th of June, having been at sea 114 days. She has brought 305 souls to the colony; seven births and four deaths took place during the voyage. It gives me great pleasure to state that this vessel also has arrived in very good order, and though the date of final disembarkation has not yet arrived, everything has till now gone on harmoniously.

In the "Joseph Rowan," the final disembarkation of which took place on the 5th instant, three families had failed to obtain any occupation whatever.

By far the greater number of single females who have arrived during this quarter are of a class for which there is little or no demand in the colony. If, indeed, good domestic servants were sent out, they could readily find employment; but the young women who have lately arrived are not domestic servants.

The late alteration in the charter-party referred to in my last quarterly Report, has been in operation during the past quarter. The change in the dietary system for children is a great improvement; the eggs are a valuable addition to their food, but the benefit conferred would be greatly enhanced if some means could be adopted of preserving the eggs for a longer period than has yet been found practicable; about seven or eight weeks after sailing they are found to be unfit for use.

I have already referred to a new mode of constructing the berths in the "Taymouth Castle," another system has been adopted in some ships, which I think a very great improvement; the berths in the cases to which I allude are built amidships. By this system the light and ventilation of the decks are greatly improved; the port-holes can be kept open much longer than when the berths were constructed at the sides of the ship, and there is much less obstruction to light. There is one objection to the system, viz., that the vacant space below for the use of the emigrants is divided into two smaller spaces and is less convenient, but I think this objection is trivial when contrasted with the advantages which are obtained. It is also stated, that when in the single women's apartments the berths are placed amidships, that there is increased difficulty in keeping them under proper surveillance. This objection is partially obviated by a small space being left so as to permit a passage between the double row of berths; but this can be done only in ships of large size. More than one improvement has been attempted by the Commissioners in the construction of the water-closets, but these attempts have not thoroughly succeeded. It appears very improbable that any system can be adopted which will be found to succeed in all cases. The habit of the people, their previous ignorance of such conveniences, and the malicious pleasure which some of them seem to take in destroying that which is intended for their own comfort, renders it a matter nearly hopeless to expect that any system or improvement will at all times succeed in accomplishing the object intended. The Commissioners have lately authorised an additional number of constables to each ship, in the proportion of one constable to each three messes of single girls, for the special purpose of receiving the provisions of the single women's messes and conveying them to and from the galleries. The object of this measure is to withdraw, as far as practicable, all opportunities for communication between the single women and that part of the vessel particularly set apart for the use of the crew, and to deprive the former of the excuse of which they frequently avail themselves, that they are in the fore part of the vessel for some purpose connected with the cooking of their provisions. This is, indeed, a valuable improvement, and has been found most beneficial; and I cannot avoid this opportunity of giving my very humble testimony of the untiring zeal of the Commissioners in adopting all reasonable plans of improvement

ment in the management of emigrant ships, which are from time to time suggested. The "Taymouth Castle," the "Time and Truth," and the "Fortune," which have arrived during the quarter, have not brought with them official papers detailing the countries from which the emigrants have been selected, or the occupations to which they have been accustomed; the official lists being nominal lists only. The want of these documents interferes in some respects with making up correct quarterly Reports, as well as the different statistical annual Returns.

The proportion of the immigrants from the three Kingdoms, so far as we have data to go upon, is as follows:—From England, 979; from Scotland, 308; from Ireland, 473; emigrants regarding whom there is no return, 239; total, 1,999.

I have, &c.

(signed) *H. Duncan*, M.D.
Immigration Agent.

The Hon. the Colonial Secretary.

ANSWERS TO QUERIES.

1. WHAT is the expense of erecting a country dwelling suitable to an agricultural labourer?—From 30*l.* to 70*l.*

2. What is the rent of a town lodging suitable to a mechanic and his family?—Ten shillings and upwards.

3. What funds have been placed at your disposal during the past quarter for the relief of immigrants?—None.

4. Is there any fund in the colony for the relief of destitute poor?—A sum of money is annually voted, and put under the charge of the Destitute Poor Board.

5. State the description of labour which is in request in the colony?—Agricultural and domestic servants are generally in demand, but the demand for labourers is at present rather slack, owing to temporary causes; the demand, however, for mechanics for building purposes is considerable.

6. Would the rate of immigration of the last quarter satisfy the existing demand for labour?—It has done so during the last quarter.

7. Could it be safely increased with reference to the supplies of food in the colony?—Quite safely.

8. State any particulars relative to immigration, and the demand for labour which you think may be useful?—Though the young women have been numerous, they have not been of the class most in demand. What is chiefly wanted in the women is, that they should have been accustomed to respectable domestic service, whereas the greater number of those who have arrived during the last quarter have not answered that description. There is the greatest difficulty in finding employment for the class of young women who are sent here.

No. 1.—ABSTRACT QUARTERLY RETURNS.

IMMIGRANTS.

Months composing the Quarter.	Number of Emigrant Vessels arrived.	Number of Deaths on Board or in Quarantine.	Number of Births on Board or in Quarantine.	Gross Number of Immigrants arrived.	Number of Adult Labourers.	Number of Agricultural Labourers.	Number of Shepherds.	Number of Domestic Servants.		Number of Mechanics en- gaged in erecting Buildings, or in obtaining or preparing Building Materials.	Number of Trades- people making or selling Articles of Consumption.		Number of Trades- people engaged in making Articles of Clothing.		Number of other Mecha- nics, &c., not included in the foregoing Columns.
								M.	F.		M.	F.	M.	F.	
April - - -	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
May - - -	4	32	39	1,077	12	69	1	-	220	-	-	-	-	-	100
June - - -	3	15	7	922	14	83	3	-	142	-	-	-	-	-	92
TOTALS - -	7	47	46	1,999	26	152	4	-	362	-	-	-	-	-	192

No. 2.—QUARTERLY RETURN (Prices).

RETURN showing the Average Retail Prices of Provisions and Clothing in the Colony of South Australia, in the Quarter ended the 30th June 1854.

ARTICLES.—Bread, 4 *d.* per lb.; butter (fresh), 2 *s.* 8 *d.* ditto; butter (salt), 2 *s.* ditto; blue, 1 *s.* 8 *d.* ditto; cheese, colonial, 1 *s.* ditto; candles, 10 *d.* ditto; flour, 4½ *d.* ditto; lamp-oil, 8 *s.* per gallon; meat (beef and mutton, 8 *d.* to 9 *d.* per lb.; oatmeal, 4 *d.* ditto; pepper, 1 *s.* 4 *d.* ditto; potatoes, 4 *d.* ditto; rice, 4 *d.* ditto; sugar, 3½ *d.* ditto; salt, 1 *d.* ditto; soap, 6 *d.* ditto; starch, 10 *d.* ditto; tea, 2 *s.* ditto; tobacco, 3 *s.* ditto.

CLOTHING.—Blankets, 10 *s.* to 30 *s.* per pair; boots, 7 *s.* to 20 *s.* ditto; bonnets, 2 *s.* to 10 *s.* each; calico, 4 *d.* to 1 *s.* per yard; men's caps, 2 *s.* 6 *d.* to 6 *s.* each; duck trousers, 3 *s.* 6 *d.* to 10 *s.* per pair; flannel, 1 *s.* to 2 *s.* per yard; gown-print, 3 *s.* to 8 *s.* per dress; handkerchiefs, 1 *s.* to 6 *s.* each; moleskin coats and trousers, 10 *s.* to 20 *s.*; straw hats, 4 *s.* to 26 *s.* each; shirts, 2 *s.* to 6 *s.* each; shoes (women's), 3 *s.* 6 *d.* to 7 *s.* per pair; shawls, 5 *s.* to 20 *s.* each; men's stockings, 1 *s.* to 2 *s.* 6 *d.* per pair; women's ditto, 1 *s.* to 1 *s.* 6 *d.* ditto (according to quality).

No. 3.—QUARTERLY RETURN (Wages).

RETURN showing the Average Wages of Mechanics and others in South Australia, for the Three Months ended the 30th June 1854.

BLACKSMITHS, 14 *s.* to 16 *s.* per day, without board or lodging; bakers, 8 *s.* to 9 *s.* per day, with board and lodging; bricklayers, 17 *s.* per day, without board or lodging; brickmakers, 25 *s.* per 1,000, without board or lodging; bullock drivers, 35 *l.* to 60 *l.* per annum, with board and lodging; butchers, 8 *s.* to 10 *s.* per day, ditto; carpenters, 14 *s.* to 16 *s.* per day, without board or lodging; cabinet-makers, 14 *s.* to 15 *s.* per day, ditto; carriage-makers, 16 *s.* to 17 *s.*, ditto; coopers, 10 *s.* to 12 *s.*, ditto; domestic servants—males, 45 *l.* to 60 *l.* per annum, with board and lodging; females, 20 *l.* to 25 *l.* ditto; day labourers, 8 *s.* to 10 *s.* per day, without board or lodging; farm servants—married couples, 45 *l.* to 70 *l.* per annum, with board and lodging; single-men, 50 *l.* to 60 *l.*, ditto; masons, 16 *s.* to 17 *s.* per day, without board and lodging; millers, 10 *s.* to 12 *s.* per day, ditto; miners, 6 *s.* to 8 *s.* ditto; painters and glaziers, 10 *s.* to 12 *s.*, ditto; plasterers, 17 *s.* ditto; sawyers, 15 *s.* to 20 *s.* per 100 feet; saddlers, 10 *s.* to 12 *s.* per day, without board or lodging; shoemakers, 8 *s.* to 10 *s.*, ditto; shepherds, 35 *l.* to 50 *l.* per annum, with board and lodging; shopmen, 80 *l.* to 100 *l.* per annum, with board and lodging; tailors, 1 *s.* per hour, without board and lodging; tanners, 10 *s.* per day; wheelwrights, 16 *s.* to 18 *s.* per day.

ABSTRACT RETURN of Immigration and Emigration at *Port Adelaide* during the Quarter ended 30 June 1854.

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AUSTRALIA.

NAME of PORT.	IMMIGRATION.				EMIGRATION.			
	Adults.		Children.		Adults.		Children.	
	M.	F.	M.	F.	M.	F.	M.	F.
Great Britain :								
London - - - -	418	631	244	195	54	31	20	18
Liverpool - - - -	207	299	116	138	—			
Dundee - - - -	1	—						
Jersey - - - -	1	—						
Southampton - - - -	10	3	—					
British Colonies :								
Melborne - - - -	829	145	50	55	588	226	65	47
Geelong - - - -	8	4	-	-	3	4	1	2
Hobart Town - - - -	6	3	-	-	4	2	1	1
Sydney - - - -	8	8	6	5	1	1	2	—
Singapore - - - -	27	1	-	-	-	1	—	
Launceston - - - -	-	-	-	-	5	1	—	
Freemantle - - - -	-	-	-	-	5	4	1	—
Calcutta - - - -	-	-	-	-	-	1	—	
Ceylon - - - -	-	-	-	-	2	—		
Foreign States :								
Hamburgh - - - -	2	—						
Guam - - - -	-	-	-	-	1	2	1	1
Batavia - - - -	-	-	-	-	2	—		
Callao - - - -	-	-	-	-	-	1	1	1
GENERAL SUMMARY :								
Great Britain - - - -	637	933	350	333	54	31	20	18
British Colonies - - - -	878	161	56	60	608	240	70	50
Foreign States - - - -	2	-	-	-	3	3	2	2
TOTAL - -	1,517	1,094	406	393	665	274	92	70
	665	274	92	70				
EXCESS of IMMIGRATION - -	852	820	314	323				

Excess of Males, 436 ; Excess of Females, 413.

Immigration, 3,410 ; Emigration, 1,101. Excess of Immigration, 2,309.

(signed) *H. Duncan, M.D.,*
Immigration Agent.

SOUTH
AUSTRALIA.

Despatches from the Secretary of State.

— No. 1. —

No. 1.

(No. 1.)

Sir G. Grey, Bart.
M.P., to Sir H. E. F.
Young.

15 June 1854.

Sir,

Downing-street, 15 June 1854.

A COMMUNICATION having been addressed to the Colonial Land and Emigration Commissioners on the subject of your despatch No. 16,* of the 31st of January last, enclosing a renewed application from the South Australian Mining Association for a supply of mining labour, I enclose, for your information, a copy of a report which has been received in reply from that Board.

* Page 50.

8 June 1854.

I am, &c.
(signed) G. Grey.

Encl. in No. 1.

Enclosure in No. 1.

Sir,

Colonial Land and Emigration Office,
8 June 1854.

WITH reference to your letter of the 18th of April last, enclosing a despatch from the Lieutenant-governor of South Australia, in which he transmits an application from the South Australian Mining Association for a supply of mining labour, we have the honour to state, for the information of the Duke of Newcastle, that in the early part of April last we relaxed the regulations so as to admit of the selection for this colony of single men, and of families, irrespective of an equality of the sexes. The selecting agent in the west of England has also been instructed to give a preference to miners. There is, however, a difficulty in procuring eligible persons of that class who would be likely to continue to work in copper mines, and not to go off to the diggings. It will, therefore, require much care in the selections.

Herman Merivale, Esq.,
&c. &c. &c.

We have, &c.
(signed) T. W. C. Murdoch,
C. Alexander Wood.

WESTERN AUSTRALIA.

Despatches from Governor Fitzgerald.

WESTERN
AUSTRALIA.

WESTERN AUSTRALIA.

Despatches from Governor Fitzgerald.

— No. 1. —

No. 1.

Governor Fitzgerald to the Duke of Newcastle.
17 February 1854.

(No. 19.)

COPY of a DESPATCH from Governor *Fitzgerald* to the Duke of *Newcastle*.

Government House, Perth, 17 February 1854.

(Received, 12 June 1854.)

My Lord Duke,

(Answered, 10 October 1854, No. 32, p. 70.)

I do myself the honour to transmit the accompanying report of the principal immigration agent.

2. From this your Grace will gather with tolerable accuracy the power of absorption possessed by this colony within a given time, judging from the past, and also from the reasons given by Captain Bruce, how very desirable it is that parties with large families should not be sent to Western Australia, where every necessary of life, save lodging, ranges quite as high as at Melbourne, and therefore how impossible it is that any farmer could afford to give his agricultural labourer an amount of wages sufficient for the support of more than four in family.

3. Captain Bruce, you will observe, thinks that three ships a year will for the present meet our wants, looking at the further supply of labour available to all by ticket-of-leave men and pensioners, the latter generally with large families.

4. I fully concur in this view of the case, and I venture to solicit that your Grace will impress upon Her Majesty's Emigration Commissioners the necessity of directing that the greatest care be observed that parties possessing weak constitutions or feeble intellects constitute no part of our immigration, for truly, it may be said, the every-day requirements of colonial life, and the unceasing occupation of all classes, leave little time or room for sympathy with such persons, and the Government are comparatively powerless in the absence of institutions for their care and protection. Already are there several of these persons on the hands of Government from the Cork Orphan Asylum, no party being willing to take them into private service.

I have, &c.

(signed) *Charles Fitzgerald*.

Enclosure in No. 1.

Sir,

Perth, 8 February 1854.

UPWARDS of six months having now elapsed since I undertook the office of immigration agent, I deem it my duty to submit for his Excellency's information the result of my observation and experience in that department during the past half year.

On the 6th July I received over from Mr. F. Wittenoom 51 men, 141 women, and 79 children; of these, 14 men, 53 women, and 37 children, were off the ration list before the 31st of that month.

On the 1st August there were 37 men, 88 women, and 42 children, upon rations in the different depôts, of whom 15 men, 36 women, and 15 children, went off rations in the course of the month.

The "Clara" arrived from England with 323 immigrants of all ages and sexes on the 18th September, of whom 45, including 7 men, were disposed of without coming into depôt; and on the landing of the remainder, the numbers on rations were augmented to 65 men, 207 women, and 100 children. Before the end of September these numbers fell to 42 men, 150 women, and 68 children.

In

In the course of October 19 men, 45 women, and 21 children, went off rations, reducing the numbers in the different depôts to 23 men, 105 women, and 47 children.

During November 15 men, 48 women, and 19 children left the depôts, abating the numbers upon rations on the 1st December to 8 men, 57 women, and 28 children. By the 31st December the strength in depôt had fallen to 3 men, 27 women, and 10 children, making a reduction during the month of 5 men, 30 women, and 18 children; thus giving a total of 115 men, 305 women, and 182 children disposed of within the half year, out of 118 men, 332 women, and 192 children, who were landed from the ships "Sabrina" and "Clara." I think it proper here to mention, that of the foregoing numbers 4 men, 6 women, and 1 child have since left this colony, at their own expense, for Melbourne.

All things considered, I am of opinion that the drafts of immigrants above alluded to have been absorbed into the population much more expeditiously than I could have ventured to predict six months ago.

Several causes combined to foreshadow a very different result.

In the first place the description of immigrants introduced.

The "Sabrina" and "Clara" brought no less than 23 families, varying from six to nine souls each, although the actual number of souls per family in the two ships only averaged about four.

It is obvious that in a colony where the necessaries of life are much more costly than in England, no rate of wages which the farmer can afford to give will enable the married labourer to meet the wants of his family in a manner at all approximating to his hopes, if the number dependent upon him for support exceed two children.

Secondly, the past six months has been a period of decided depression in Western Australia.

The rumoured cessation of transportation checked the advance of many enterprising colonists, thereby contracting the field of employment. It is to be hoped that the injurious effects of this apprehension will now disappear.

In order to accelerate the diffusion of the immigrants throughout the agricultural districts, branch depôts have been formed in York, Toodyay, Bunbury, and Albany; but owing to the cause above adverted to, the married females went off there slowly, excepting as regards some mechanics sent to the latter place.

I feel convinced, however, that if a vessel arrived to-morrow with able-bodied agricultural labourers having small families, say one, or, at most, two children, they would go off rapidly. For couples of good character, unencumbered with children, there is a demand to which I can assign no limit, except that of our wage-paying community.

Really useful serving girls are still in demand, there being at present in depôt none of that description.

I recently received application from the superintendent of immigrants at Toodyay for eight intelligent young women, whom he felt sanguine of at once providing for, but I could not meet the requisition.

Two hundred and thirty-six young females arrived per "Sabrina" and "Clara," of whom only six are left in Perth depôt, and, by the latest returns, 11 in the country districts. These are chiefly individuals labouring under constitutional infirmity or mental unfitness, and I would observe that there are five females at present on rations who are likely to remain a burthen on the colony from such causes.

There are also at present in the Colonial Servants' Home 15 females who have been admitted from time to time, under authority, on losing or leaving their places.

Neither from this batch could any be called to meet the Toodyay application.

In conclusion, I beg to observe that I am of opinion three ships of emigrants per year will suffice to meet the current demand in this colony for some time to come, and I would suggest the months of March, July, and October as the periods of arrival best calculated to meet the wants of employers.

The average number of souls usually landed from an immigrant ship being 320, I would suggest that the proportion should, as nearly as practicable, be as follows:

55 married couples (including a few good general servants unencumbered with children)	-	-	-	-	-	-	-	110
Single men (some of them general servants, the rest shepherds and agricultural labourers)	-	-	-	-	-	-	-	30
Girls above 16 years	-	-	-	-	-	-	-	120
Children	-	-	-	-	-	-	-	60
								320

Finally, I would respectfully urge that no individual, male or female, be sent to this colony to depend upon their own exertions for bread who are not of perfectly sound mind and healthy constitution; for there is no country where such persons are a greater burthen to themselves and others than in a colony where food and shelter are so expensive, and charitable institutions yet unfounded.

I have, &c.
(signed) J. Bruce,
Immigration Agent.

The Honourable the Colonial Secretary,
&c. &c. &c.

WESTERN
AUSTRALIA.

— No. 2. —

(No. 48.)

No. 2.

Governor Fitz-
gerald to the Duke
of Newcastle.
29 April 1854.COPY of a DESPATCH from Governor *Fitzgerald* to the Duke of *Newcastle*.

Government House, Perth, 29 April 1854.

(Received, 8 August 1854.)

My Lord Duke,

(Answered, 10 October 1854, No. 32, p. 70.)

I HAVE the honour to report the arrival on the 24th ultimo of the immigrant ship "Victory," with 242 souls on board, all of whom have been landed in perfect health, and without one death having taken place during the voyage.

2. It is very gratifying to perceive by the report of the immigration agent, herewith forwarded, that he found the ship in such good and cleanly order, and that every attention was paid to the comfort of the immigrants during the passage.

3. I am in hopes that shortly few of them will remain on the hands of Government, as some 40 have been engaged before coming into depôt, and upwards of 70 have succeeded in getting employment without difficulty, as they arrived at a most opportune moment, when the farmers, taking advantage of the late seasonable rains, have commenced ploughing, and getting in their crops. To these facts I would beg to direct your Grace's attention, as they are contradictory to the remarks under the head of "employment," No. 11, made by the surgeon-superintendent in his report to the Emigration Commissioners, and who must have received his information from the immigrants before they had been a sufficient time in the colony to enable them to form a correct opinion.

4. I would further submit, for your Grace's information, the remarks of the surgeon under the head of "General Remarks and Suggestions," No. 12, namely: "There seems to be a great mistake somewhere. The most of the single women sent here were not of the class required; many of them thought they were going out to their parents in Melbourne, Adelaide, and Sydney. We had many sisters on board having their parents and relations in those places, and now no chance of getting to them. I consider it equal to transportation for them. Most of the young women had never been in service before."

5. I am happy to find that all of the above class have an equal prospect with the other immigrants of gaining early employment; they appear to give general satisfaction, and are fast going into private service. I would, however, beg to direct the attention of the Emigration Commissioners to the necessity of guarding against the recurrence of the disappointment which many of these women have felt on not reaching the place they desired, for the purpose of joining their relations; it has the result of making them very dissatisfied with their prospects in this settlement, and finally, as soon as they have an opportunity they leave, by which neighbouring colonies reap the advantage of a portion of that emigration which was intended for and chargeable to Western Australia.

I have, &c.

(signed) *Charles Fitzgerald*.

Enclosure in No. 2.

Encl. in No. 2.

Sir,

Perth, 18 April 1854.

THE immigrants being now all landed from the "Victory," and the gratuities to the officers and office-bearers being in course of payment, I have the honour to report, for the information of his Excellency the Governor, that everything appears to have gone on satisfactorily on board that vessel.

I found her cleanly, and in good order; and although the surgeon spoke of having had trouble with some of the women, he preferred no complaint.

Neither were there any complaints on the part of the immigrants, who, generally speaking, are a robust and useful class of people, although some of them have large families.

If the demand at all accords with the supply, it is to be hoped many of them will shortly go off; those with trades went off at once, and since the arrival of the "Victory" on the 24th ultimo, 70 souls have been disposed of.

I have, &c.

(signed)

J. Bruce,

Immigration Agent.

The Honourable the Colonial Secretary,
&c. &c. &c.

— No. 3. —

WESTERN
AUSTRALIA

(No. 67.)

COPY of a DESPATCH from Governor *Fitzgerald* to the Duke of *Newcastle*.

Government House, Perth, 5 July 1854.

(Received, 6 October 1854.)

My Lord Duke,

(Answered, 8 December 1854, No. 46, p. 73.)

I HAVE the honour to acknowledge the receipt of your Grace's despatch No. 12,* of the 14th of January last, disapproving of the scale of salaries I had proposed for your consideration, to cover the expenses of the immigration agency in this colony, with its necessary contingencies, and directing that no portion of such be charged to Imperial funds.

2. With due submission to your Grace's decision of confining the salary of the principal immigration agent to 100 *l.* a year, looking at the limited number of immigrants sent to this colony, I take leave to observe that, notwithstanding our numbers are somewhat limited as compared with those sent to the other Australian colonies, I have reason to think the duties of the immigration agent are more incessant and onerous in Western Australia than in any other of the sister colonies, from the more lengthened stay of the immigrants in our depôts, in the absence of that rapid power of absorption on arrival into private service which obtains in the other colonies, where the immigrants are, in most instances, I learn, taken by parties out of the ships without ever entering a depôt.

3. The occasional delay of the emigrants in the depôts of the colony, your Grace will easily understand to arise from our small population and the consequent limitation of the means of absorption; as also, from the competition the emigrants experience in the labour market, from the number of ticket-of-leave men now at large, with whom emigrants having large families, and those who may be feeble or infirm, have little chance in the struggle for employment.

4. The consequence has been, that occasionally these parties, with their large families, remain in depôt for a considerable period, necessitating a heavy outlay for their rations, which has been charged to Imperial funds in obedience to despatch No. 17 of the 4th of March 1851, from Earl Grey, which directs "that the expenditure consequent on the housing and support of emigrants previous to their obtaining employment, will be defrayed from the vote by Parliament for the purposes of emigration to those colonies which receive convicts." Any emigrants who may have returned after obtaining private service without fault of theirs have been maintained by the local Government.

5. The sum charged to Imperial funds, on this account, has been 2,498 *l.* for the last 12 months, while that paid by the local Government for the same period has amounted to 720 *l.* with 250 *l.* for the relief of destitution.

6. In giving the instructions alluded to for the guidance of the immigration agent, I of course contemplated that any expense charged to Imperial funds for rationing or other treatment of the emigrants after their arrival, or for the immigration staff in the colony, would be defrayed out of the grant given by Parliament for free immigration, which the colonists have been led to think themselves entitled to, as a penal settlement, to counterbalance the large number of convicts arriving from year to year.

7. As a matter of course, accounts with vouchers of all these issues of rations, with every other expense charged to Imperial funds, have been furnished to the Commissariat Department monthly. Your Grace will therefore, I trust, see the office of immigration agent is in this colony no sinecure, as the enclosed letter from Captain Bruce, in reply to some observations made by a member of the Legislative Council, will further show.

8. With the view of finally placing the costs of the immigration staff in obedience to your Grace's decision, on the Colonial Estimate, I brought the whole question before the Legislative Council in recent session, with your Grace's despatch on this subject, and the Council believing how necessary such a department

No. 3.
Governor *Fitzgerald* to the Duke of *Newcastle*.
5 July 1854.

* Page 47 of House of Commons' Papers on "Australian Emigration," No. 436—I., 11th August 1854.

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AUSTRALIA.

ment is to the humane treatment of the emigrants, have sanctioned the sum of 200 *l.* being placed on the Supplementary Estimate for 1854, and 300 *l.* on the Estimate for 1855, sums which I trust my successor will find sufficient to meet the expenses of this service.

9. The dépôt at Fremantle I have directed should be broken up, and a small branch one established at Guildford, as more convenient to the thickly peopled eastern districts; these arrangements I trust will meet with your Grace's approval.

10. I would again urge upon your Grace that positive instructions be given that emigrants having large families of very young children should not be sent to this colony, as from the high cost of every necessary of life, it is morally impossible that the individual exertions of a labouring man and his wife can support such numbers, as in the case of an emigrant named Anderson, who arrived per "Victory," in the month of March last, with a wife and 12 children, 5 of whom are under 10 years of age. Nor is it of less consequence that I should call your Grace's attention to the facts of emigrants with constitutions perfectly broken, having been permitted to embark for this colony, no doubt under the impression and hope that our fine climate would do wonders; the result has been that some of these sickly parties have died either on the passage or shortly after landing, leaving widows with large families to be supported by the local Government, up to the present time; these remarks also apply, occasionally, to the class of pensioners sent as guards in the convict ships.

11. In conclusion, I have the honour to report that 1,327 emigrants have been introduced by the Emigration Commissioners in the last year, and with the exceptions above alluded to, they appeared to be of a most unexceptionable class, of these 1,265 have gone into private employment.

I have, &c.
(signed) *Charles Fitzgerald.*

Encl. in No. 3.

Enclosure in No. 3.

Sir,

Colonial Secretary's Office, Perth,
23 May 1854.

HAVING been informed that a member of the Legislative Council thought fit yesterday to animadvert upon the manner in which the duties of immigration agent have been performed since the resignation of Mr. Frederick Wittenoom, I have the honour to request you will claim his Excellency's sanction to the following statement being laid before the Council.

When the Governor did me the honour of tendering to me the office of immigration agent, I declined it, as his Excellency well knows; and subsequently, the question whether I should accept it or not remained in abeyance for many days.

It was an appointment for which I had no desire, and I eventually undertook its duties only because I make it a governing principle of action ever to meet the wishes of the authority under whom I serve.

Prior to my acceptance, however, I made it my business to inquire how the accounts ought to be rendered, in order to satisfy the scrutiny of the auditors in London before whom they were expected finally to come, as items of Imperial expenditure.

Mr. F. Wittenoom had furnished his accounts in a manner highly creditable, but, for want of assistance, it was utterly impossible for him to supply the ration returns and other documents usually required by Her Majesty's Government in support of such payments.

I consulted the principal officer of the Commissariat Department, and that gentleman gave it as his opinion, that if the charge were to remain an Imperial expenditure, the auditors would certainly demand the returns and vouchers above alluded to, and which, I repeat, Mr. Wittenoom, unaided as he was, could not by any possibility supply.

Under these circumstances, his Excellency remodelled the immigration agency, Captain Foss and myself assuming the duties each with a ration issuer attached, and our united salaries falling much short of what any competent and responsible person in the colony holding no other Government appointment would consent to take office for; and I maintain that

that no individual with other duties to perform, without a deputy, could possibly do so as long as an immigration establishment exists at Fremantle.

In addition to his work as an issuer, the person attached in that capacity to me acts under my superintendence as clerk and accountant not only to immigration generally, but also to the colonially-sustained inmates of the Servants' Home. The extent and nature of the duties which have devolved upon him may be inferred from the circumstance of more than half his time being taken up with them; and the manner of their performance may be judged from the fact that Mr. Knight, the Auditor-general, struck with the number and accuracy of the various accounts coming from his hands, spontaneously, and without the slightest suggestion from me, proposed in January last that his salary should be increased from 1s. to 2s. per diem. Without such a man to assist me with the accounts, I freely confess that I could not, in justice to my other duties, hold the office of immigration agent at all; and it is only because he draws 3s. per diem for his services under me in another department, that he is satisfied with 2s. for his labour in connexion with the immigration.

In order that the Council may know how a pluralist may discharge his duties, I beg to observe, that before the Government offices are open, my clerk and myself have usually done nearly half a day's work, and that at night, when other men are enjoying the recreations incident to leisure, I am generally engaged in business, whilst my clerk only terminates his labours for the day by visiting each *dépôt*, counting the inmates, writing out his ration cheques, and ultimately bringing them to me for signature.

I would here remark, that after the office of immigration agent was recast, having heard it had become a question with some parties why the modification had not been made for Mr. Wittenoom, I immediately sought out that gentleman, and proffered to resign at once if he would retake the office; but in an unhesitating and straightforward manner he replied, nothing would induce him to do so, and that he hoped I did not in any way associate him with the observations that had been made on the subject.

Mr. Wittenoom is now acting Auditor-general, and is therefore conversant with the nature and extent of the accounts I have to render; consequently I feel assured he is the reverse of gratified at being brought against me as a "*cheval de bataille*."

On the 8th of February I sent in my half-yearly report as immigration agent. I request that this report be now read to the Council.

On the 18th of April I reported the disembarkation of the immigrants from the "*Victory*." I likewise request that this letter, as containing some information, be also read; and I would add, that 53 souls obtained situations from the vessel without coming into *dépôt* at all.

A great outcry was raised because the people were not at once landed from the ship, without awaiting the termination of the 14 lay days. With all deference, I would observe, that no gentleman in this colony should be more competent to disabuse the public mind on this point than the honourable Member who has attacked my management of the immigration department. From his long and intimate acquaintance with the Navy Board, he must know that when Her Majesty's Government stipulates that individuals are to be fed on board for a specific number of days after the vessel arrives in port, that the Government pay the shipowners accordingly, and therefore that the said Government would have a ground of surcharge against the local authority in this colony, who might put the State to the expense of a double payment for rations; and the fact of 53 souls having been engaged, many of them into private service from the "*Victory*," clearly shows that those pressed for servants did not allow their being on board to interfere.

A person unacquainted with the past practice in this respect might fairly infer, that it was only in the time of the present agent that the Governor sanctioned the lay days being taken advantage of; but the fact is, so far as I can trace by the records, Mr. Wittenoom always deferred this disembarkation in like manner.

Much stress has been laid upon the province not being properly supplied with immigrants. As bearing upon that question, I request that my letter to your address of the 16th instant may be now read.

I maintain that since I assumed office the transmission of people to the interior has only been limited by the means of accommodation afforded by the respective places, as is attested by the large sums paid for provisions in the country *dépôts*.

A despatch recently received from Her Majesty's Secretary of State for the Colonies, places immigration and its consequent expenditure in an entirely new point of view.

It is more than probable that the Imperial Government will fix upon the colony the whole cost of maintenance in *dépôt*, and of transit into the interior, of all immigrants sent to this country. It is therefore, I submit, a question well worthy of the consideration of his Excellency in Council, how far it is proper to burthen the colonial revenue with the expense of numerous branch *dépôts*, involving charges for rent and superintendence, as well as with the conveyance of immigrants to thinly peopled districts.

WESTERN
AUSTRALIA.

I continually receive letters requesting me to send immigrants to meet teams at Guildford ; and, with one or two exceptions, these applications have come to hand after the time specified for the departure of the teams has expired.

Guildford is the point where most of the country teams stop ; therefore I would suggest the establishment of a depôt there to enable settlers to take away servants with their own teams, and thereby relieve the colonial revenue.

The Fremantle depôt may, I think, be abolished, but a proper building for that purpose is urgently required at Perth in room of the unsightly places in which the immigrants are now distributed.

Should the Governor resolve still to maintain depôts at Bunbury and Albany, immigrants can be sent direct from the ship, but it is worthy of consideration whether every object, save that of local expenditure, would not be attained by the resident magistrates of those districts receiving applications from settlers ; and when they have half a dozen names down, transmit the list to the immigration agent at Perth, in order that people may be forwarded either at the expense of the applicants or at that of the colony, as the Government may direct.

If the necessity of branch depôts be recognised, where is the line to be drawn ? Have not the inhabitants of the Vasse and northern districts as much claim to have their servants brought, at the public expense, to their doors, as those of Bunbury, York, and Toodyay ?

During the six months ending the 31st March, the expense of maintaining country depôts amounted to nearly 600*l*.

In my opinion a properly paid immigration agent, who has no other duty to perform, with the aid of a person in the double capacity of clerk and issuer at Perth, and another to superintend the depôt at Guildford, could efficiently discharge all the duties required.

The office is one of no light trust and responsibility ; therefore a competent person cannot be expected to devote his whole time to it unless he be liberally paid.

For my own part I have resolved to accept no salary whatever as immigration agent after the termination of the half year which will close in a few weeks ; but I shall continue cheerfully to discharge all duties of the office during his Excellency's pleasure, up to the last hour of his administration, but to no later period.

The Governor requested me in flattering terms to undertake the duties, and I know how to appreciate his Excellency's courtesy and kindness.

I have, &c.
(signed) *J. Bruce*,
Immigration Agent.

The Honourable the Colonial Secretary.

Despatches from the Secretary of State,
The Right Honourable Sir George Grey, Bart, M. P.

— No. 1. —

(No. 32.)

No. 1.
Sir G. Grey, Bart.,
M.P., to Governor
Fitzgerald.
10 October 1854.

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., M.P.,
to Governor *Fitzgerald*.

Sir,

Downing-street, 10 October 1854.

WITH reference to your two despatches, No. 19,* of 17 February, and No. 48,* of 29 April, I transmit, for your information and guidance, the copy of a report from the Land and Emigration Commissioners on the question of the continuance of Government emigration to Western Australia. They have in reply been informed of my approval of their intention to despatch another ship to the colony in November, and have been instructed to abstain from sending any more till they receive further directions on the subject.

I must

* Pages 64 and 66.

26 Sept. 1854.
16 Aug. 1854.

I must also take this occasion of calling your attention to the imperfect manner in which the complaints of emigrants, referred to in your despatches, have been reported. Every reasonable subject of complaint should be represented, but it is useless to do so if the reports are not sufficiently precise to furnish materials for investigation.

I have, &c.
(signed) *G. Grey.*

Enclosure in No. 1.

Encl. in No. 1.

Sir,

Colonial Land and Emigration Office,
26 September 1854.

WITH reference to your letter of the 26th of June last, enclosing a despatch from the Governor of Western Australia respecting Government emigration, and to your subsequent letter of the 30th ultimo, enclosing a further despatch on the same subject, we feel it to be our duty to bring under the consideration of Secretary Sir George Grey the question of continuing this emigration.

No. 19, 17 Feb.
No. 48, 29 April.

2. The first of these despatches, dated the 17th of February, contains the half-yearly report of the immigration agent. It appears that at that date wages were not sufficient to support families consisting of more than four persons, and that the colonists were considered to have "little time or room for sympathy with persons in distress," while several thus circumstanced, and principally those selected from the Cork Orphan Asylum, were stated to be on the hands of Government, no person being willing to take them into private service. It further appears that emigrants generally were months in the depôt before they were hired. Thus, out of 207 women in depôt on the 18th of September, there remained on the 31st of December, 27; and during the half year there were disposed of, with difficulty, only 115 men, 305 women, and 182 children.

3. The later despatch, dated the 29th of April, announces the arrival one month previously of the "Victory," the third or last ship we despatched in 1853, at an interval of six months, the previous ship having sailed on the 7th of June, and the "Victory" on the 29th of December. It appears that she arrived "at a most opportune moment," that her emigrants (only 242 souls) "were a robust and useful class," and yet in the first month only 70 were disposed of. The Governor, indeed, expresses his expectation that few would remain on hand, and controverts the disparaging statements made in his official report by Mr. Dodd, surgeon of the "Victory," observing that his statement respecting the want of employment must have been derived from the emigrants before they had been in the colony a sufficient time to enable them to form a correct opinion. But it will be seen from the enclosed letter, addressed to us by Mr. Dodd since his return to England, and without knowing that the Governor had thus commented on his report, that he did not leave Perth until the 24th of April, or within a few days of the date of the Governor's despatch; that he describes the disappointment which he had himself witnessed amongst the emigrants, and that he strongly urges that no more should be sent to Western Australia.

16 August 1854.

4. We think it not improbable that Mr. Dodd's statement may be somewhat exaggerated, though his efficiency, as shown by the state of the "Victory" (in which no death occurred, and everything is stated by the authorities "to have gone on satisfactorily"), entitles his representations to consideration; but we cannot divest ourselves from the feeling, that at present Western Australia does not offer sufficiently good prospects to justify our continuing the emigration even on the present limited scale of three ships yearly.

5. The Governor states that disappointment has been felt in some cases from the emigrants finding on arrival that they had not reached a colony where friends or relatives were supposed to have settled previously, and to which they imagined themselves to be proceeding. On this head we have to explain that emigrants wishing to reach Australia are frequently unable to wait their turn for passages to New South Wales, Victoria, or South Australia, and, as an alternative, passages to Western Australia have been offered and willingly accepted; the parties themselves at the time professing perfect indifference as to their destination so long as they obtained an early passage to some part of Australia. We have no doubt that the cases referred to by the Governor would be found to be of this kind. But as he has not mentioned the names of the emigrants, we are unable to investigate either these cases or the complaints respecting the incapable orphans forwarded from Cork Union workhouse, a complaint at which we are surprised, because we had reason to rely on the care bestowed on the young people in that Union, and on the propriety of the selections.

6. Finally, we observe, that while the prospects which the colony offers to emigrants are so questionable that few will go thither who are eligible for other colonies, the authorities impose unusual limitations on the choice of emigrants, under which it would be difficult to

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carry on emigration even to a more popular destination, and, we should fear, almost impossible to Western Australia. It is because these papers have raised in our minds grave doubts as to the prospects which Western Australia offers to the emigrants, and, consequently, whether we are justified in encouraging people, and especially single women without natural protectors, to accept passages to that colony, that we have felt it to be our duty to submit that question for Sir George Grey's decision.

7. According to our present instructions, we are to appropriate the Parliamentary grant in despatching three ships to Perth. As yet we have this year only sent one, the "Esmeralda," carrying 205 souls, which sailed on the 24th of June. But having accepted a small number of applicants, we propose to despatch in November another ship, limited to carry about 200 souls; and in making the selections, we shall endeavour to attend to, as closely as possible, the Governor's directions, but for the reasons above stated, have no expectation that in this respect we can hope to be wholly successful.

Herman Merivale, Esq.
&c. &c. &c.

We have, &c.
(signed) C. Alexander Wood.
Frederic Rogers.

Sub-Enclosure to Enclosure in No. 1.

No. 4, Mornington-terrace, Seacombe, Cheshire,
16 August 1854.

Sir,

I HAVE the honour to inform you of my arrival in England. I left Perth, Swan River, on the 24th of April last for Bombay, after landing safely the full complement of emigrants I received at Plymouth on board the "Victory," and one increase, in the colony, in all 242. I sent you by the first mail, from Bombay, my summary of the voyage, having no opportunity of doing so earlier, which I presume you have received. I likewise send you the Colonial Secretary's receipt for my journal of the voyage, and also the summary of same.

I earnestly beg to call your attention to the information given in the two papers I have taken the liberty of sending you. I assure you, Sir, I cannot express the pain I endured at the sad disappointment of the emigrants on their arrival. No employment of any sort up to the time of my leaving. I do not think there were above 20 of the single women engaged as domestic servants, at, say 10 *l.* to 12 *l.* per annum. Single men nothing to do. Many of the married men came on board and requested the captain would give them some work on board, at 3 *s.* 6 *d.* per day, they being daily threatened to be turned out of the depôt, and no prospect whatever of employment in the colony. The emigration officers told me they did not want emigrants, and I feel satisfied they would be glad to pay 5 *l.* each to have them sent home again. The young women, many of them respectable girls, were treated most shamefully, sent off, some 100, others near 200 miles into the various districts to look for work; their luggage going in a waggon, themselves having to walk that distance, over dreary wastes of sand and rock, under the guidance of a drunken convict, who on being asked where he was going to take them told them, to hell; this occurred outside the female depôt, at six o'clock in the evening of a very wet day; no convicts could be treated worse, and they told me and the captain, had they been aware how matters were in the colony, before leaving their home, they would have committed felony, preferring to be sent out as convicts than emigrants. I could afford you a great deal more information on this head, but I am afraid I have trespassed too long already on your patience; you will perceive that the other colonies get the benefit of emigration so far as Western Australia is concerned, all the emigrants leaving the first opportunity. Any further information required I will be most happy to afford, and would say, for God's sake send no more emigrants to Western Australia. I beg to ask, is it necessary for me to present myself in London. I arrived in Liverpool, from Alexandria, last week, by the "Severiffè" steamer.

I am, &c.
(signed) George Dodd, Surgeon.

— No. 2. —

(No. 46.)

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart. M.P.,
to Governor *Fitzgerald*.

WESTERN
AUSTRALIA.

No. 2.

Sir G. Grey, Bart.,
M.P., to Governor
Fitzgerald.

8 December 1854.
* Page 67.

Sir,

Downing-street, 8 December 1854.

I HAVE had under my consideration your despatch No. 67,* of the 5th of July last, containing some remarks on the immigration department.

With reference to your observations on the quality of some of the emigrants sent out to the colony, I enclose for your information the accompanying extract of a report from the Emigration Commissioners, which supplies as complete a vindication of their selection of emigrants as the nature of your remarks would admit.

24 Nov. 1855.

I cannot but observe that some of the facts reported in your despatch show a great anomaly in the emigration to Western Australia. This country has sent out emigrants at a heavy cost for the special benefit of the colony, and, as it now appears, it has had to pay no less than 2,498 *l.* in the course of a single twelve-month for the maintenance of several of those emigrants subsequently to their arrival in the colony, owing to their not obtaining employment. It is not reasonable that this country should be expected to send out able-bodied labourers in order to maintain them afterwards at its own expense; and it is not without considerable hesitation that I have felt myself at liberty to abstain from recommending the disallowance of the sum of 2,498 *l.*, which is understood to have been already actually expended in this way out of the grant by Parliament. You will not, however, depend on any further assistance from this source; and you must be prepared, therefore, to provide out of local resources for any similar expenditure which may have been incurred, or may be so in the future, beyond the amount reported in your present despatch.

I have also to point out to you, with reference to your remark, that "any emigrants who may have returned after obtaining private service, without fault of theirs," are readmitted to the *dépôt*, and maintained by the local Government; that the peculiar circumstances of Western Australia, and the small demand for the services of emigrants, may perhaps make such a course inevitable, but that it is calculated to impose on the public an unlimited expense, and to remove the main inducement to steady behaviour on the part of the servants. It appears to me, that the same rule should be adopted in Western Australia as prevails, I believe, in the other Australian colonies, to consider those who have once been placed in domestic service as off the hands of the Government, and not entitled, if they should lose their situations, to return to the immigration *dépôt*.

In a recent despatch, No. 32,* of the 10th of October, I informed you that no more emigrants would be sent out until further directions, and the intelligence above adverted to confirms the propriety of that decision. There can be no reason, under these circumstances, for continuing an expenditure of nearly 300 *l.* a year for immigration agents. It will be proper that you should put an end to those appointments; and in the event of the arrival hereafter of an emigrant vessel at Fremantle, the requisite duties may be performed by an officer appointed specially for that occasion, and paid by a moderate allowance per head on each emigrant landed.

* Page 70.

In conclusion, I have to draw your particular attention to an error in a quotation which you have made from a despatch of Earl Grey, No. 17, of 4th March 1851. In answer to an inquiry from you, Earl Grey informed you in that despatch that "the charge for lodging and supporting the emigrants by the 'Sophia,' previously to their obtaining employment in Western Australia, should be charged to the grant voted by Parliament for the purposes of emigration." You have quoted the despatch as directing that "the expenditure consequent on the housing and support of emigrants previously to their obtaining employment," should be defrayed from the Parliamentary vote. This quotation converts the direction on a special case into a general one, which it is obvious was not in the contemplation of the Secretary of State.

I am, &c.
(signed) *G. Grey*.

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Encl. in No. 2.

Enclosure in No. 2.

EXTRACT of a REPORT from the Colonial Land and Emigration Commissioners,
dated 24 November 1854.

"MR. FITZGERALD proceeds from this subject to make some remarks as to the suitability of some of the emigrants sent out by us, having reference to the peculiar circumstances of Western Australia. He adverts, as he had done in his former despatch of 17th February last, to the difficulty of procuring employment for persons of feeble constitutions, or with large families of young children; and as an example of the latter class, he instances a man named Anderson, who he says arrived in the "Victory" with a wife and 12 children, five of whom were under 10 years of age.

"With respect to this particular family, we find, on referring to the ship list, that Anderson had not twelve but nine children, of whom not five but three were under 10 years of age. The family consisted of four sons of the ages of 20, 18, 16, and 12, and five daughters of the ages of 14, 10, 8, 6, and 4. This family would have been eligible for any of the other Australian colonies, and having besides the parents five children of an age to take service they would not, elsewhere than in Western Australia, have found any difficulty in supporting themselves. In regard to the general emigration, we may state that we have never sent to Western Australia families with more young children than are willingly received in the other colonies, which never exceed three under ten, and two under seven years of age. But considering the small inducements which Western Australia holds out to emigrants, we could not expect to be able to procure for it a more eligible class than we are sending out to the other more popular colonies.

With respect to persons with "constitutions perfectly broken down," whom Mr. Fitzgerald supposes to have been sent out in the expectation that the climate of Western Australia would improve them, we beg distinctly to state that we have never, knowingly, sent out any persons in a state of health which would interfere with their getting their living by labour. It is, of course, impossible, to so general a charge to give any but this general answer. But on referring to the list of persons sent out in 1853 and the present year, we find that out of 1,092, only one had attained the age of 50; only seven were over 45; and only 57 between 40 and 45; while 387 were between 20 and 30, and 142 between 30 and 40. As far, therefore, as age goes, there can be no reason to suppose that any of those sent out were infirm; and as they all underwent a medical examination before embarkation, and would not have been allowed to go on board if they had been in bad health, we can only suppose that Mr. Fitzgerald has been misinformed on this point.

VAN DIEMEN'S LAND.

Despatches from Lieut.-Governor Sir William Denison.

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VAN DIEMEN'S LAND.

Despatches from Lieut.-Governor Sir William Denison.

— No. 1. —

(No. 66.)

COPY of a DESPATCH from Lieutenant-Governor Sir *W. Denison* to the Duke of *Newcastle*.

No. 1.

Lieut.-Governor
Sir W. Denison
to the Duke of
Newcastle.

3 May 1854.

Van Diemen's Land, Government House,
3 May 1854.

(Received, 3 August 1854.)

My Lord Duke,

(Answered, 22 September 1854, No. 51, p. 87.)

In my despatch, No. 214,* dated 10 October 1853, forwarding to your Grace the resolutions of the Legislative Council on the subject of immigration, I stated, that the Council had pledged itself to pass the Bill which would be required to give legal effect to the scheme of the New South Wales Government, which was recommended for adoption by the Land and Emigration Commissioners, and adopted, though with reluctance, by the Council of this colony; not, however, in the unqualified manner in which it was proposed in New South Wales, but in conjunction with a system of bounties upon the introduction of immigrants by private individuals.

2. In the interval, between the prorogation of the Council in October 1853 and its reassembling in April, I had time to consider fully the provisions of the New South Wales scheme, which appeared to me so inapplicable to the present circumstances of this colony, as to induce me to retain a portion of the money, which I was requested by the Council to forward to the Land and Emigration Commissioners, and to take upon myself the responsibility of sanctioning an extension of the Bounty system approved by the Council.

3. I forward, herewith, the Gazette notice, by which all former Regulations on the subject of immigration are cancelled, and replaced by others, requiring from individuals wishing to import labour, a payment of 3*l.* for a single adult, or 5*l.* for a family, and guaranteeing to such individuals the repayment of the cost of the passage of such immigrants, when they are landed in the colony, at rates to be fixed at times by the Government, the present rate being 20*l.* per statute adult for the passage from England.

4. As, however, a large sum had been placed in the hands of the Land and Emigration Commissioners, to be expended in accordance with the New South Wales scheme, and, as a pledge had been given by the Council that the Act required to give effect to the arrangements for apprenticing the emigrants under this scheme should be passed, I directed the Attorney-general to prepare a Bill in conformity with that which had been passed in New South Wales, modifying its language so as to suit the circumstances of the colony, and adding to it certain provisions, which were required, in order to enable the Government to retain the immigrants arriving under the Bounty scheme.

5. Before this Bill had been read a second time, I received the Parliamentary Papers, containing the Report of the Land and Emigration Commissioners, dated 30 July 1853, upon the Act which had been passed in New South Wales, and as these officers are of opinion (in which I fully agree with them), that it would be unadvisable at present to carry out this scheme, I did not think it necessary to press the measure forward.

6. Under

* Page 77 of House of Commons Paper (on "Australian Emigration"), No. 436—L, 11 August 1854.

6. Under the circumstances in which this colony is placed, I trust that your Grace will direct the Commissioners to expend the whole of the funds belonging to this colony, now in their possession, amounting to about 47,000 *l.* in forwarding emigrants with the least possible delay. The vessels should be sent to Hobart Town and Launceston, in the proportion of two to the former and one to the latter.

7. I need say but little as to the class of emigrants which will be most useful to the colony. Every description of labour is most valuable, but as, according to some investigations which I have made, it appears that our male population has decreased since March 1851 to the extent of 6,860, while the number of the population generally show a diminution only to the extent of 2,768; it is evident that we require a larger proportion of male than of female immigrants.

8. I trust that your Grace will approve of the Bounty Regulations, as published in the accompanying Gazette. They have been sanctioned by the Legislative Council, and I have been authorised to expend 50,000 *l.* in defraying the passages of immigrants arriving under their provisions, as will be seen by the copy of the Resolutions herewith enclosed. They have also been extensively acted upon by the settlers, and do not appear to me to be liable to the objections brought against the scheme submitted in my despatch No. 199,* dated 5 October 1852, inasmuch as they call for no action on the part of the Government external to the colony.

9. No agents will be employed by the Government; no funds will be transmitted to England; all the arrangements will be left to those most interested, namely, to the individuals who require labour.

10. It will be for these people to combine to appoint agents of their own, to furnish them with funds for the payment of the expenses of the emigrants previous to their embarkation, and for such a portion of the passage-money, as it may be necessary to pay in England; depending on the engagement of the Government to pay back a given amount upon the landing of the immigrants in the colony.

11. Should the supply from this source still prove inadequate to meet the demand for labour, I trust that the funds at the disposal of the Government will be sufficient to enable me to place an amount at the disposal of the Land and Emigration Commissioners, to be disposed of by them in such a manner as they may deem best calculated to relieve our necessities; but I shall be able to speak more confidently as regards this when the Estimates for 1855 have been submitted to the Council.

I have, &c.
(signed) *W. Denison.*

Enclosure 1, in No. 1.

Encl. 1, in No.

GOVERNMENT NOTICE.

No. 11.

Colonial Secretary's Office, 23 January 1854.

THE Lieutenant-governor, having approved of the following Regulations for the promotion of immigration to Van Diemen's Land, directs that they be published for general information; and that all former notices and regulations on the same subject be from this date revoked and cancelled, except in so far as may be necessary to give effect to applications already received and acted upon.

By his Excellency's command,
(signed) *W. Champ.*

BOUNTY REGULATIONS for the Introduction of Mechanics, Labourers, and Domestic or other Servants into Van Diemen's Land from any part of Europe.

1. *Application and payment to be made to the Immigration Agent.*—Persons who may desire to avail themselves of these Regulations must apply in writing (Form No. 1.) to the Immigration Agent at Hobart Town or Launceston, describing the immigrants intended to be introduced, and stating whether they are to be mechanics, labourers, domestic or other servants,

* Page 256 of Papers relative to Australian Emigration, 8 April 1853.

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servants, and whether male or female, single or with families; and shall pay to him the sum of 3 *l.* in respect of every single immigrant of the age of 14 years and upwards, and 5 *l.* in respect of every family.

2. *Bounty Tickets to be issued transferable to Masters of Vessels.*—The Immigration Agent, on receiving such applications and payments, and being satisfied that the applicants intend to employ in the colony the immigrants proposed to be introduced, will deliver to the applicants bounty tickets, in duplicate in the form set forth in Schedules (A.) and (B.) for the payment of the whole passage-money of the immigrant or immigrants applied for, at the rate fixed for the time being in the manner herein declared by Regulation 7; and the passage-money set forth in every such bounty ticket shall, under the condition laid down in Regulation 3, be payable at the Colonial Treasury on the arrival of the immigrants, either to the applicant himself, or to the master of the vessel in which they may be brought to Van Diemen's Land, should such bounty ticket have been endorsed over by the applicant in the form specified on the ticket.

3. *Condition on which Bounty Tickets will be payable.*—The Immigration Agent at Hobart Town or Launceston must be satisfied that the immigrant or immigrants in respect of whom the bounty is claimed, have arrived in the colony under agreement not to leave Van Diemen's Land within four years after arrival; or otherwise, before leaving that colony to make to the Immigration Agent at Hobart Town repayment towards his or her passage-money, at the rate of one-fourth of such passage-money for every year wanting to complete four years' residence, and a proportionate sum for every part of a year, which engagement shall be executed on the bounty ticket in the form thereon set forth. On being satisfied that this condition has been duly performed, the Immigration Agent will certify in writing on the bounty ticket the arrival (or death on the voyage) of such immigrant or immigrants, and the amount of their passage-money, which will then be payable upon presentation of the ticket at the Colonial Treasury, provided that every such bounty ticket shall be presented for payment within 18 months from the date thereof. Applicants for bounty tickets will also be supplied at the same time with blank forms of agreement, by which their agents may contract with immigrants for their services for such period after arrival in the colony as may be agreed on; and for the repayment during such service of the 3 *l.* or 5 *l.*, as the case may be, paid by such applicants to the Government.

4. *Promotion of the Immigration of the Relatives and Friends of persons in the Working Classes residing in Van Diemen's Land.*—In order to promote the immigration and settlement in Van Diemen's Land of the relatives and friends of persons in the working classes residing in that colony, it is hereby provided that, on application and payment being made by such persons, in the manner set forth in Regulation 1, for the introduction of friends or relatives in the working classes, the Immigration Agent, on being satisfied that the immigrants applied for are of that description, and coming out to live by labour, will, in the manner specified in Regulation 2, deliver to the applicants bounty tickets to which the foregoing conditions shall apply.

5. *Payments may be returned.*—Persons having sent to Europe for immigrants under these Regulations, on showing reasonable cause for having failed to introduce them, may, by application at the immigration office from which the bounty tickets were issued, and on returning the tickets, obtain repayment of the money advanced by them.

6. *Blank Bounty Tickets transmitted to Agents, &c. in the United Kingdom or elsewhere, to provide Passages for Emigrants selected by them.*—Blank bounty tickets in the form set forth in Schedules (C.) and (D.) will be transmitted to such committees, agents, or other persons in the United Kingdom or elsewhere, as may be considered by the Colonial Government likely to advance the interests of Van Diemen's Land by sending out suitable emigrants. Such committees, agents, or other persons will insert in the tickets the names of emigrants, who will thus obtain a free passage at the rate fixed for the time being by the Government of the colony, in the manner herein declared by Regulation 7; subject to the condition laid down above in Regulation 3, and to an engagement to be executed on the bounty ticket, in the form thereon set forth, to repay to the Immigration Agent at Hobart Town 3 *l.* for a single immigrant, and 5 *l.* for a family, as part of the expense of their introduction.

7. *Rates of Passage-money which will be paid on Bounty Tickets.*—The rate at which the Government of Van Diemen's Land will pay for the passages of immigrants from the United Kingdom, from other parts of Europe, or other countries or places from which it may at any future time be considered advantageous to encourage immigration, will be fixed from time to time prospectively, and notified in the "Hobart Town Gazette" and newspapers, so as to give sufficient and timely notice on the subject; and the rate payable for the time being will be inserted in each bounty ticket when issued.

The passage-money will be fixed with reference to the ages of the immigrants at the time of embarkation, at a certain rate per statute adult of 14 years of age or upwards, one-half of which will be paid for children of three years and under 14 years, and one quarter thereof for children under three years old. In the case of the death of an emigrant during the voyage, one-half of the rates so fixed will be paid.

8. *Persons introducing Immigrants must provide for them on arrival.*—Persons who introduce immigrants under these Regulations must provide for their reception on arrival.

Should it be found necessary to receive any such immigrants into a Government establishment, a charge of 2 *s.* a day, or part of a day, for each individual will be made against the introducer.

(signed) W. Champ.

FORM No. 1.

VAN DIEMEN'S
LAND.

APPLICATION for the Introduction of Immigrants of the Labouring Classes.

Sir,

(Place and Date.)

I AM desirous of introducing into Van Diemen's Land, under the Bounty Immigration Regulations of 24th January 1854, the under-mentioned immigrants. [*Here state the description of Immigrants, whether mechanics, labourers, domestic or other servants, whether male or female, single or with families, and whether to be employed by the Applicant or introduced as his relatives or friends; in the latter case, state the relationship, &c.*] And I herewith enclose the sum of £ . . . [*The payment required for each married couple including their sons and daughters, or for each married man or woman, or widower or widow, including his or her sons and daughters, is 5 l. The payment for each single man or woman applied for is 3 l.*]

I remain, Sir
Your obedient Servant,

Name—

Occupation—

Address—

To the Immigration Agent at

SCHEDULE (A.)

EMIGRATION from Europe to Van Diemen's Land, under the Bounty Regulations of Van Diemen's Land, dated 24th January 1854.

FAMILY BOUNTY TICKET.

To be presented for payment at the Colonial Treasury, Hobart Town, within 18 months from the date thereof.

Rate of Passage-money payable on this Bounty Ticket.

DESCRIPTION OF EMIGRANT.	For Emigrants from the United Kingdom.	For Emigrants from other Parts of Europe.
	£. s. d.	£. s. d.
For each Adult who may be at the time of Embarkation 14 years of age and upwards - - - - -		
For each Child of 3 years and under 14 years - -		
For each Child under 3 years - - - - -		

In the event of the death of an emigrant on the voyage, one-half of the above rates will be paid.

No.

. Port of

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I HEREBY certify that A.B., the applicant for this bounty ticket, has paid to me the sum of 5 l. in respect of the following emigrants of the working class proposed to be introduced into Van Diemen's Land from Europe by the said applicant; viz.—one married couple and their sons and daughters, or one married man or married woman, or widower or widow, with his or her sons and daughters.

Upon proof being given to the satisfaction of the Immigration Agent at Hobart Town or Launceston that the emigrants in respect of whom the bounty is claimed under this ticket have arrived in Van Diemen's Land, or have died on the voyage thither, and provided it shall appear that the engagement printed upon the back of this bounty ticket has been executed by every emigrant of the age of 14 years or upwards, then the Immigration Agent will certify upon this ticket to the arrival or death on the voyage of the emigrants, and to the amount of passage-money payable; which amount will then be paid upon presentation of this bounty ticket at the Colonial Treasury within 18 months after the date thereof (and not afterwards), either to the above-named applicant himself, or to the commander of any vessel to whom this ticket may be endorsed over by the said applicant (in the form given below), and by whom the emigrants may be brought to Van Diemen's Land.

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The applicant will be at liberty to introduce a single adult male or female emigrant under this bounty ticket, instead of a family, subject to the above condition, in which case payment will be made of the passage-money of one adult at the rate above specified, but no return of deposit will be made.

C. D.

Immigration Agent at

I hereby endorse over this bounty ticket to the commander of any vessel in which the emigrants therein described may be brought from Europe to Van Diemen's Land.

Dated

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E. F.

Applicant.

I hereby certify that the following emigrants have arrived in Van Diemen's Land under this bounty ticket, or have died on the voyage from Europe thither; and that the passage-money below stated is payable to A. B.

	£.	s.	d.
Brown, John, - age 42, passage-money - - -			
Brown, Mary, „ 39, - „ - - -			
Brown, James, „ 12, - „ - - -			
Brown, Ellen, „ 10, died on voyage - - -			
TOTAL - - - £.			

Dated

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C. D.

Immigration Agent at

ENGAGEMENT.

[On the back of the Bounty Ticket.]

Each of the undersigned, emigrants to the colony of Van Diemen's Land under the Bounty Regulations of Van Diemen's Land, dated 24th January 1854, in consideration of a passage to the said colony being provided for him [or her], hereby agrees not to leave the said colony for the period of four years after his [or her] arrival there, without having previously paid to the Immigration Agent at Hobart Town one-fourth of the cost of his [or her] said passage for every year wanting to complete four years' residence in the colony, and a proportionate sum for every part of a year.

[To be signed by all emigrants who may at the time of embarkation be 14 years of age or upwards.]

SCHEDULE (B.)

BOUNTY TICKET for a Single Emigrant, similar to Schedule (A.)

SCHEDULE (C.)

EMIGRATION from Europe to Van Diemen's Land under the Bounty Regulations of Van Diemen's Land, dated 24 January 1854.

FAMILY BOUNTY TICKET, to be filled up in Europe. To be presented for payment at the Colonial Treasury, Hobart Town, within 18 months from the date thereof.

Rate of Passage-money payable on this Bounty Ticket.

DESCRIPTION OF EMIGRANT.	For Emigrants from the United Kingdom.	For Emigrants from other Parts of Europe.
	£. s. d.	£. s. d.
For each Adult who may be at the time of Embarkation 14 years of age or upwards - - -		
For each Child of 3 years and under 14 years - -		
For each Child under 3 years - - -		

In the event of the death of an emigrant on the voyage, one-half of the above rates will be paid.

No. . Port of

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VAN DIEMEN'S
LAND.

WHEREAS by the Immigration Regulations of Van Diemen's Land, dated 24th January 1854, it is declared that bounty tickets in blank will be forwarded to such committees, agents, or other persons as may be approved by the Colonial Government, in order that emigrants selected by such committees or persons may obtain a free passage to Van Diemen's Land by the insertion of their names in such bounty tickets. I hereby certify that authority has been given by the Colonial Government to E. D. to insert in this bounty ticket the names of one married couple and their sons and daughters, or one married man or married woman, or widower or widow, with his or her sons and daughters, being emigrants of the working class, such insertion being duly signed in the form following :—

DESCRIPTION of Emigrants selected for a Free Passage.

Morgan, Charles, age 34, Agricultural Labourer.

Morgan, Charlotte, age 30, Laundress, wife of the above.

Morgan, James, age 7 } Children of the above.

Morgan, Mary, age 5 }

I hereby certify that the above-named [four] persons are nominated by me for a free passage to Van Diemen's Land under this bounty ticket.

J. B.,

Secretary to Committee, Agent, &c. [as the case may be.]

Upon proof being given to the satisfaction of the Immigration Agent at Hobart Town or Launceston that the emigrants in respect of whom the bounty is claimed under this ticket have arrived in Van Diemen's Land, or have died on the voyage thither; and provided it shall appear that the promissory note and the engagement, which are printed upon the back of this bounty ticket, have been executed by the emigrants to whom they apply, then the Immigration Agent will certify upon this ticket to the arrival or death on the voyage of the emigrants, and the amount of passage-money payable, which amount will then be paid upon presentation of this bounty ticket at the Colonial Treasury within 18 months after the date thereof (and not afterwards), to the commander of any vessel to whom this ticket may be endorsed over (in the form given below) by the committee, agent, or other person above-named as authorised to nominate emigrants for passages, and by whom the emigrants may be brought to Van Diemen's Land.

C. D.,

Immigration Agent at

I hereby endorse over this bounty ticket to the commander of the (barque "Magnus Troil,") or to the commander of any vessel in which the emigrants therein described may be brought from Europe to Van Diemen's Land.

Dated

J. B.,

Secretary to Committee, Agent, &c. [as the case may be.]

I hereby certify that the following emigrants have arrived in Van Diemen's Land under this bounty ticket, or have died on the voyage from Europe thither, and that the passage-money below stated is payable to A. B.

	£.	s.	d.
Morgan, Charles - age 34, passage-money	-	-	-
Morgan, Charlotte „ 20 - „	-	-	-
Morgan, James - „ 7 - „	-	-	-
Morgan, Mary - „ 5 - „	-	-	-
TOTAL - - £.			

Dated

C. D.,

Immigration Agent at

[On back of the Ticket.]

PROMISSORY NOTE.

£.5 - -

Six months after the date of my arrival in the colony of Van Diemen's Land, I promise to pay to the Immigration Agent at Hobart Town the sum of five pounds on account of a passage to that colony provided for myself and family under the Bounty Regulations of Van Diemen's Land, dated 24th January 1854.

[To be signed by the father or other head of the family emigrating.]

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ENGAGEMENT.

As in Schedule (A.)

[To be signed by all emigrants 14 years of age or upwards, whether parents or otherwise.]

SCHEDULE (D.)

Bounty ticket for a single emigrant similar to Schedule (C.)

Encl. 2, in No. 1.

Enclosure 2, in No. 1.

IMMIGRATION.

RESOLUTION of the Legislative Council, 20 April 1854.

THAT this Council, approving of the Regulations issued by the Government on the 24th January last, for promoting immigration to the colony, is of opinion, that a sum of not less than 50,000*l.* should be appropriated to pay for the passages of servants and others introduced under those regulations.

— No. 2. —

No. 2.

(No. 73.)

Lieut.-Governor
Sir W. Denison
to the Duke of
Newcastle.

COPY of a DESPATCH from Lieutenant-Governor Sir W. Denison to the Duke of Newcastle.

Van Diemen's Land, Government House,
14 May 1854.

My Lord Duke,

(Received, 8 August 1854.)

THE Legislative Council, on the application of Sir Charles Trevelyan, voted, in December 1852, a sum of 3,000*l.* in aid of the funds of the Highland Emigration Society, as reported in my despatch No. 15,* dated 15 January 1853. A large portion of this amount was expended in paying the passage of the Highland emigrants, by the "Sir Allan M'Nab;" and as this was an application of the money not contemplated by the society, a request was made that the money so applied should be again placed to their credit. This has been acceded to by the Council, and I have accordingly transmitted the amount to the colonial agent, with directions to pay it over to the treasurer of the society.

I enclose a letter addressed to Sir Charles Trevelyan on this subject, and as your Grace will see that the sum of 3,000*l.* will be sufficient to forward about 650 emigrants to the port of emigration, it would be desirable that the Land and Emigration Commissioners should retain a sufficient amount in their hands, out of the money already transmitted, to pay for the cost of the passage of these persons, should the society be in a position to forward them without delay.

We are in great want of labour, and the more speedily these can be sent out, the better; it would be very desirable that they should arrive before the close of the year, in time for the harvest.

I have, &c.
(signed) W. Denison.

Enclosure 1, in No. 2.

My dear Sir,

Van Diemen's Land, Government House,
28 April 1854.

I RECEIVED your letter of the 5th October about the end of January, and should have replied to it sooner had I not been obliged to wait till the Council met, in order to lay before it your application on behalf of the Highland Emigration Society to be repaid the amount of the passage-money of the emigrants by the "Sir Allan M'Nab." I have now the pleasure to inform you, that I have been authorised by the Council to accede to your request, and I have accordingly transmitted the amount, namely, 2,000*l.*, to the colonial agent, with directions to hand it over to the society.

The

* Page 48 of House of Commons Paper, No. 436—I., 11th August 1854, "Australian Emigration."

The emigrants arrived in a very satisfactory condition, and have been hired at wages varying from 20*l.* to 52*l.* per annum for single men; and 14*l.* to 28*l.* per annum for single women; 40*l.* to 70*l.* per annum for man and wife, in addition, of course, to board and lodging.

The documents sent to the Colonial Treasurer in order to enable him to enforce the engagements made by the emigrants were defective, in that, with regard to ten of the families, no details were given of the heads under which the amount advanced to them was classified, so that we have had some difficulty in making out the gross charge for passage in their case, so as to return the amount to you. We have, however, managed to get at this indirectly. I was always under the idea that you contemplated a return of the money advanced to the emigrants for outfit and cost of passage to the port of embarkation, in fact, of the whole of the amount advanced by the society; and I have made arrangements with several Scotch gentlemen to aid in the collection of the amount, in order that I might re-transmit it to you as speedily as possible.

On reference, however, to one of the notes of hand, a copy of which I enclose, it appears that not one farthing of the money so advanced can be collected, and that at the expiration of three years the note of hand is to be given up or destroyed, leaving the giver at liberty to go wherever he may choose, and making him a present, into the bargain, in addition to his wages and the cost of his passage, of upwards of 18*l.* There surely must be some mistake in this.

On reference to my former letter, dated 8th January 1853, I proposed that a service of three years should exonerate the emigrant from any liability to repay the sum advanced for their passage, but I never contemplated the possibility of purchasing the services of these men at rates so enormous as we now have to pay: for instance, Duncan M'Pherson has received 177*l.* 5*s.* 7*d.*, of which 109*l.* 18*s.* 7½*d.* is charged for passage, leaving a balance of 67*l.* 6*s.* 11½*d.*, under the heads of deposit, outfit, and conveyance to Clyde. If this man's note of hand is similar to that given by John Stuart, we have paid 32*l.* 4*s.* 7*d.* for each adult member of his family, and the society has lost a sum of 67*l.* 6*s.* 11*d.*, which might have been sufficient to pay for the removal of six or more ordinary families. I have, I see, made use of a wrong expression in saying that the notes of hand were in such a form. I ought to have said, that the explanation by the company's agent of the condition upon which the notes of hand were given, was drawn out in such a manner as to lead to the results alluded to. You will see, however, my meaning by the document enclosed.

It would be desirable for the future that care should be taken to make the obligation to repay the amount advanced quite clear and decided. I shall then be able to arrange, I have no doubt, satisfactorily for its collection.

The sum handed over to the society for the cost of the passage of the emigrants by the "Sir Allan M'Nab" (about 2,000*l.*) will be sufficient, taking a fair average from the return of these emigrants as our guide, to pay the deposit, outfit, and cost of conveyance to the port of embarkation of between 150 or 160 families, each averaging 3½ statute adults, or of 620 adults altogether. The cost of the passage of these persons will amount to about 14,000*l.*; and as the Land and Emigration Commissioners will require the amount to be placed in their hands in readiness to meet any demand made by your society, I have enclosed this letter open to the Secretary of State, requesting that instructions might be given to the Land and Emigration Commissioners to retain in their hands such a portion of the money already transmitted to them as may be sufficient to meet the demand likely to be made upon them by the society.

We are proposing to carry on an extensive system of bounty immigration, through the agency of the individuals who require labour. Many Scotchmen might, I should imagine, be willing to connect themselves with your society, in order to get the benefit of your services in selecting and paying the preliminary expenses of the emigrants. Were you to propose to do this, I think it might answer, the condition of your assistance being the immediate repayment of the sums advanced, and an annual contribution of a small amount to your fund.

We are very badly off for labour; so pray send us out as many as you can, and speedily.

Sir C. Trevelyan,
&c. &c. &c.

Believe me, &c.
(signed) W. Denison.

Enclosure 2, in No. 2.

Encl. 2, in No. 2.

Ullapool, 14 September 1853.

I HAVE this day advanced to you in loan from the funds for aiding emigration from the Highlands and Islands of Scotland, for the purpose of enabling you and your family to emigrate to Van Diemen's Land, the sum of 138*l.* 15*s.* 9*d.* sterling, and in return you have given me a promissory note for that sum, payable one day after date to Peter Fraser, Esq., or the Colonial Treasurer and Collector of Internal Revenue in Van Diemen's Land for the time being. I am authorised to inform you, that, provided you proceed to Van Diemen's Land without undue delay, the time of payment and currency of interest will be postponed until your arrival there, and that although the right of enforcing payment is to be absolute, the same will be further postponed so long as you and the members of your

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family who accompany you remain in the colony of Van Diemen's Land, engaged in such honest and industrious employment as may there be obtained, and at the end of each year that you and they so remain, a sum not less than 5*l.* sterling for each adult member of the family will be deducted from the amount of the said promissory note, in consideration of such residence and employment, notwithstanding that no payment on that account shall have been made by you. And at the expiration of three years from the date of your landing in Van Diemen's Land, if neither you nor any of the members of your family shall have left that colony without the sanction of the Government, the said promissory note will be cancelled and returned to you, or destroyed, but if before the expiration of three years from the date of landing in the colony, you or any of the members of your family shall leave the colony without the sanction of the Government, or shall indicate an intention to leave the colony, of which indication the Colonial Treasurer for the time being shall be the sole judge, then payment of such portions of the promissory note as may then be due will immediately be enforced in such legal manner as the Colonial Treasurer shall deem expedient.

To John Steuart,
Tenant or Cottar, Isle Martin.

(signed) *John M'Neill*,
Chairman Edinburgh Committee.

— No. 3. —

No. 3.

(No. 90.)

Lieut.-Governor
Sir W. Denison
to the Duke of
Newcastle.
3 June 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *W. Denison* to the
Duke of *Newcastle*.

Van Diemen's Land, Government House,
3 June 1854.

(Received, 6 October 1854.)

My Lord Duke,

I have the honour to forward to your Grace a Return, showing the expenses incurred on account of immigration during the half year ending 31 December 1853.

I have, &c.
(signed) *W. Denison*.

Encl. in No. 3.

Enclosure in No. 3.

RETURN of the EXPENSE of IMMIGRATION during the Half Year ended the
31st of December 1853.

	£.	s.	d.	£.	s.	d.
Salaries of officers - - - - -	900	12	7			
Repairs to depôt - - - - -	47	3	-			
Rent of depôt - - - - -	200	-	-			
Medical attendance of immigrants - - - - -	5	2	-			
Rations, fuel, lights, cartage, &c. - - - - -	199	16	8			
Remittance to Agent-general - - - - -	25,000	-	-			
Passages of immigrants from Victoria - - - - -	1,808	3	6			
TOTAL upon Land Fund - - - - -				28,160	17	9
Gratuities to officers of immigrant vessels - - - - -	282	10	-			
Repayment of deposits under the Regulations, 21 October 1852 - - - - -	200	-	-			
TOTAL General Expenditure - - - - -				482	10	-
GENERAL TOTAL - - - - -	£.			28,643	7	9

Audit Office, Hobart Town, }
5 June 1854.

(signed) *E. J. Manley*.

— No. 4. —

(No. 99.)

COPY of a DESPATCH from Lieutenant-Governor Sir *W. Denison* to the Duke of Newcastle.

Van Diemen's Land, Government House,
13 June 1854.

(Received, 6 October 1854.)

My Lord Duke, (Answered, 27 November 1854, No. 8, p. 90.)

I HAVE the honour to acknowledge the receipt of a despatch, No. 174,* dated 21 November 1853, in which your Grace has pointed out certain omissions in the Proclamation under the 85th section of the Passengers Act, forwarded in my despatch, No. 116, dated 17 May 1853.*

I have caused the mistakes to be rectified, and I forward herewith the amended Proclamation.

I have, &c.
(signed) *W. Denison.*

Enclosure in No. 4.

Encl. in No. 4.

A PROCLAMATION.

By his Excellency Sir *William Thomas Denison*, Knight, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies.

WHEREAS by an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 15th and 16th years of the reign of Her Majesty Queen Victoria, intituled, "An Act to amend and consolidate the Laws relating to the Carriage of Passengers by Sea," it is amongst other things enacted, that it should be lawful for the Governor of any of Her Majesty's possessions abroad, by any Proclamation to be by him from time to time issued for that purpose (which should take effect from the issuing thereof), to declare what should be deemed for the purposes of that Act to be the length of the voyage of any ship carrying passengers from such possessions to any other place whatsoever, and to substitute for the articles of food and provisions as he should deem to be a full equivalent for the same; and also to declare what medicines, medical instruments, and other matters should be deemed necessary for the medical treatment of the passengers during such "colonial voyage." Now, therefore, I, the said Lieutenant-governor, by this my Proclamation issued for that purpose, do hereby revoke my Proclamation of the 19th day of March 1853 (except as to all matters and things that may have been done under or by virtue of the same); and instead thereof I do declare that the following shall be the rule of computation by which the length of the voyage of all ships, except steam-vessels carrying passengers from Van Diemen's Land to the ports or places in New South Wales, and the ports or places in Victoria carrying passengers from Van Diemen's Land to the places hereinafter mentioned, shall be computed for the purposes of the said recited Act; that is to say:

	Days.
To New Zealand - - - - -	20
„ South Australia - - - - -	20
„ Western Australia - - - - -	40
„ New Caledonia, New Hebrides, and Fezee Islands - - - - -	40
„ Sandwich Islands - - - - -	70
„ Tahiti, Society or Friendly Islands - - - - -	50
„ Mauritius or Bourbon - - - - -	70
„ Batavia or Singapore - - - - -	70
„ West Coast of America, South of Equator - - - - -	70
„ West Coast of America, North of Equator - - - - -	100
„ East Coast of America - - - - -	130
„ Manilla - - - - -	80
„ Cape of Good Hope - - - - -	100
„ Calcutta, Madras, or Bombay - - - - -	100
„ Ceylon - - - - -	100
„ China - - - - -	100
„ Great Britain or France - - - - -	140
„ California - - - - -	100
„ All ports or places in New South Wales - - - - -	20
„ All ports or places in Victoria - - - - -	14

and I do hereby further declare, that (except steam-vessels carrying passengers from Van Diemen's Land to the ports or places in New South Wales and the ports or places in Victoria), in addition to and irrespective of any provisions of their own which any passengers may have on board, the master of every such ship shall make to each passenger during the voyage,

* Pages 93 and 66 of House of Commons Paper, No. 436—I, 11 August 1854, "Australian Emigration."

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voyage, including the time of detention, if any, at any ports or places before the termination of such voyage, the following issues of pure water and sweet and wholesome provisions, being in accordance with the dietary scale fixed in the said recited Act; (that is to say), of water, at least 3 quarts daily; and of provisions, after the rate per week of 2½ lbs. of bread or biscuit, not inferior in quality to what is usually called Navy biscuit, 1 lb. of wheaten flour, 5 lbs. of oatmeal, 2 lbs. of rice, 2 oz. of tea, ½ lb. of sugar, ½ lb. of molasses, 2 oz. of salt, and 5 lbs. of potatoes; or the following substitutions for articles in the above dietary scale may be made at the option of the master of any "passenger ship," provided that the substituted articles be set forth in the contract tickets of the passengers:—5 lbs. of good potatoes for 1½ lbs. of oatmeal or for 1 lb. of rice, ½ lb. of beef or pork (exclusive of bone) or preserved meat for 1½ lbs. of oatmeal or for 1 lb. of rice, ¾ lb. of dried salt fish for 1½ lbs. of oatmeal or for 1 lb. of rice, 1 lb. of bread or biscuit (not inferior in quality to Navy biscuit) or 1 lb. of the best wheaten flour for 1½ lbs. of oatmeal or for 1 lb. of rice, 1 lb. of split peas for 1½ lbs. of oatmeal or for 1 lb. of rice, and ½ lb. of preserved potatoes may be substituted for 1 lb. of potatoes: provided always, that such issues of provisions shall be made in advance, and not less than twice a week; the first of such issues to be made on the day of embarkation

And, lastly, I do hereby declare, that (except steam-vessels carrying passengers from Van Diemen's Land to the ports or places in New South Wales and the ports or places of Victoria) the medicines, medical instruments, and other matters necessary for the medical treatment of the passengers during such voyage shall be as follows; namely—

MEDICINES for every Fifty Statute Adults, and in like proportion for any greater or less number, during a Voyage of 140 Days

	<i>lbs. oz.</i>		<i>lbs. oz.</i>
Acaciæ contrit. - - - -	10	Plumbi acet. - - - -	8
Acid, acetic. concentrated - - - -	4	Potass. bitartr. contr. - - - -	8
„ hydrochlor. - - - -	1	„ nitrat. - - - -	4
„ nitric - - - -	1	Potassii iodid. - - - -	½
„ sulphuric - - - -	2	Pulv. antimonii comp. - - - -	½
„ tartar. contr. - - - -	2	„ cretæ comp. - - - -	8½
Alum - - - -	8	„ ipecacuanhæ comp. - - - -	2
Ammonia hydrochlor. - - - -	8	„ cretæ prep. - - - -	8
„ sesquicarb. - - - -	2	Quina disulph. - - - -	2
Antimon. potassio-tartr. - - - -	½	Rhei contrit. - - - -	4
Argenti nitrat. - - - -	1	Sennæ - - - -	6
Acid Hydrocyanic Ph. Lon. (care- fully marked poison) - - - -	½	Sodæ sesquicarb. - - - -	8
Amylum - - - -	1	Spirit ether, nitric. - - - -	2
Camphor - - - -	3	„ sulph. C. - - - -	2
Cerat. calaminæ - - - -	4	„ ammon. aromat. - - - -	2
„ resinæ - - - -	4	„ rectificat. - - - -	4
„ alb. - - - -	1	Sulphur - - - -	1 8
Copaib. - - - -	4	Secale cornutum - - - -	½
Cupri sulph. - - - -	½	Saponis dur. - - - -	4
Calcis recentis - - - -	8	Tinct. Digitalis - - - -	1
Emplastr. cantharidis - - - -	4	„ Ferri Sesquichlor. - - - -	1
„ resinæ - - - -	2	„ Hyosciami - - - -	2
Extract. colocynth. comp. - - - -	2	„ Opii - - - -	4
„ hyosciami - - - -	½	„ Rhæi comp. - - - -	8
„ opii purif. - - - -	1	„ Sennæ comp. - - - -	8
Emplastrum plumbi - - - -	1½	Vin. Colchici - - - -	2
Ferri sulph. - - - -	1	Ung. Cetacei - - - -	1
Hydrarg. bichlorid. - - - -	½	„ Hydrarg. Fort. - - - -	2
„ chlorid. - - - -	1	„ „ Nitrat. - - - -	½
Ipecacuanhæ contr. - - - -	2	„ Sulphur. comp. - - - -	8
Jalapæ contr. - - - -	8	Zinci Sulph. - - - -	1
Lard - - - -	8	Lint, best - - - -	1
Liniment saponis - - - -	4	Surgeon's Tow - - - -	3
Liquor ammoniæ - - - -	4	Two skins of Leather.	
„ potass. arsenit. - - - -	½	One yard new Linen or Calico spread with Adh. Pl.	
Linseed meal - - - -	4	One set Grain Scales and Weights.	
Magnesia carbon. - - - -	4	One Ounce ditto.	
„ sulphat. - - - -	21	Two Two-ounce Graduated Glass Measures.	
Morph. acetat. or hydrochlor. - - - -	½	Two Minim ditto.	
Ol. menthæ piperitæ - - - -	½	One Bolus Tile.	
„ ricini - - - -	3	One composition Mortar and Pestle.	
„ terebinthinæ - - - -	4	One paper Pill Boxes.	
„ tiglli - - - -	½	Three dozen Vials, in sorts.	
„ lini sem. - - - -	8	Three dozen Gallipots, in ditto.	
Opi duri contrit. - - - -	1	Half a gross Phial Corks.	
Pilul. hydrargyri - - - -	1½		

INSTRUMENTS, &c.

VAN DIEMEN
LAND.

Two male Syringes.
Two female ditto.
Two Bolus Knives.
Six yards Flannel.
Six ditto Calico.
Two Sponges.
Two Bedpans.
One paper of Pins.
Two pieces of Filleting for bandages (bleeding).
Two Trusses for Hernia, right and left.

Two sets of Splints.
One Enema apparatus.
One Bleeding porringer.
One Funnel.
One Spatula.
One pair of Scissors.
One tin Bath for children.
One case of Amputating Instruments.
One ditto of Lancets, six in number.
One pocket Surgical Dressing-case.

MEDICAL COMFORTS for every Fifty Statute Adults, and in like proportion for any greater or less number, for 140 Days.

Oatmeal - - - - 34 lbs.	Sherry - - - - 6 bottles.
Arrow-root - - - - 14 ditto.	Porter - - - - 20 dozen.
Scotch Barley - - - - 28 ditto.	Brandy - - - - 2½ gallons.
Sago - - - - 25 ditto.	Rum - - - - 2½ ditto.
Preserved Meat, in tins - 15 ditto.	Vinegar - - - - 5 ditto.
----- Mutton, ditto - 15 ditto.	Preserved Milk - - - 60 tins.
Lime-juice - - - - 200 pints.	Chloride of Zinc - - - 2 gallons.
Sugar - - - - 150 lbs.	----- Lime - - - 28 lbs.
Port Wine - - - - 12 bottles.	Marine Soap - - - - 112 ditto.

Given under my hand and seal of the colony, at Government House, Hobart Town, in the said island, this 5th day of May, in the year of our Lord 1854, and in the 17th year of Her Majesty's reign.

(signed) *W. Denison.*

By his Excellency's command,

(signed) *W. Champ.*

Despatches from the Secretary of State, Sir G. Grey, Bart., M. P.

— No. 1. —

(No. 51.)

COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart., M. P.,
to Lieutenant-Governor Sir W. Denison.

Sir,

Downing-street, 22 September 1854.

I HAVE received your despatch, No. 66,* of the 3d of May last, transmitting a new set of Regulations, which you have issued for the introduction of emigrants, on bounty into Van Diemen's Land.

Having communicated a copy of your despatch for the Report of the Colonial Land and Emigration Commissioners, I herewith enclose, for your information, a copy of their reply, which enters very fully into the general question of emigration.

I have no doubt that the suggestions contained in their report will receive your careful attention, as being the result of long experience in the conduct of emigration to the Australian colonies; and it will be satisfactory to me to learn that the objections entertained by the Commissioners to some of the details of the plan, do not prove seriously injurious to its successful operation.

(signed) *G. Grey.*

No. 1.
Sir G. Grey, Bart.
M. P., to Lieut.-
Governor Sir W.
Denison.

22 Sept. 1854.

* Page 76.

31 August 1854.

VAN DIEMEN'S
LAND.

Encl. in No. 1.

Enclosure in No. 1.

Colonial Land and Emigration Office,
31 August 1854.

Sir,

WE have to acknowledge the receipt of your letter of the 19th instant, enclosing a despatch from the Lieutenant-governor of Van Diemen's Land, accompanied by a new set of Regulations which he has issued on the subject of emigration. In order to a correct understanding of the present position of this question, it will be desirable that we should recapitulate very briefly the previous steps in it.

2. In October 1852, Sir W. Denison sent home a scheme for the promotion of emigration to Van Diemen's Land, which, for the reasons stated at length in our Report of 2d March 1853, was disallowed by the Duke of Newcastle. Shortly previous to that time the New South Wales scheme had been received, and as it then appeared to us to meet the principle of the Van Diemen's Land scheme, we proposed, and his Grace agreed, that it should be recommended for adoption in that colony. On receipt of the Duke of Newcastle's despatch to this effect, Sir W. Denison brought the matter before his Council, and it was decided, though with reluctance, to adopt the New South Wales scheme, but the Local Act necessary to give effect to the scheme was postponed till the next session.

3. In July 1853, however, in answer to your letter of 13th July 1853, we expressed an opinion that it would not be desirable at that moment to attempt to carry the New South Wales scheme into operation. We do not reproduce the grounds of that opinion, but it will be seen on reference to our Report that they were principally of a temporary nature. This Report was printed in a Parliamentary Paper which was forwarded to Van Diemen's Land, and must have reached Sir W. Denison nearly about the time that his despatch accepting the scheme, reached this country. He in consequence abstained from introducing the Act necessary to carry out the scheme, and proposed to his Council the new plan now sent home.

4. In the mean time the temporary obstacles to the success of the New South Wales scheme had disappeared, and the necessary funds having been received from the colony we brought it into operation. In February last we despatched the first ship full of emigrants under its provisions, and we have since despatched 18 more ships, and have six more under engagement, all on the same system. The success which attended our first attempt for New South Wales encouraged us, as we explained in our Report of 28th February last, to try the system for Van Diemen's Land also, and we have accordingly sent out to the latter colony seven ships carrying 1,891 souls, and have under engagement one more, which will probably carry 300 souls under that system. The engagements, however, entered into by these people to serve in the colony or to repay a portion of their passage-money will be inoperative without the colonial law to enforce them on the spot; and we shall accordingly, in compliance with Sir W. Denison's wishes, abstain from requiring them any more.

5. Sir W. Denison, in his present despatch, proposes to carry on emigration to Van Diemen's Land, for the present, under two systems, viz., First, an entirely free emigration to be carried out by this Board, with the funds now in our hands, and, secondly a bounty emigration, under Regulations recently promulgated in the colony. So far as the free emigration is concerned we can have no difficulty. We shall conduct it on the same principles, and we trust with the same success as the similar emigration to South Australia and Victoria, keeping in view, however, Sir W. Denison's suggestion, that as the emigration from Van Diemen's Land has been principally of men; it will not be necessary to exclude single men from those we may send out. We shall also take from the emigrants an engagement not to quit the colony within four years without repaying a proportionate amount of their passage-money, as we see that this condition is embodied in the Bounty Regulations now sent home. The accounts which we have received from the other Australian colonies lead us, however, to doubt whether this engagement has any practical effect. The amount of funds, however, at present in our hands is only about 5,000 *l.*, which will not suffice to send out more than one more ship.

6. Passing now to the new Bounty Regulations, it will be seen that they provide that any person in the colony, on paying a deposit of 3 *l.* in respect of a single immigrant, or 5 *l.* in respect of a "family," shall receive a bounty ticket, pledging the colony to pay the balance of passage-money at the rate, for those from the United Kingdom of 20 *l.* for each person over 14; 10 *l.* for each child between 14 and 3; and 5 *l.* for each child under 3. The passage-money from other parts of Europe is calculated at somewhat less. The applicants for bounty tickets are to satisfy the immigration agent that they intend to employ in the colony the immigrants whom they propose to import; and the immigrants themselves are to come under an agreement not to leave Van Diemen's Land within four years without repaying a proportionate amount of their passage-money. Persons of the working classes resident in the colony are to be allowed to obtain bounty tickets for their friends or relatives on satisfying the immigration agent that such friends, &c. are of the

the same class as themselves, and are coming out to labour; and blank bounty tickets are to be sent home to such "committees, agents, or other persons in the United Kingdom, or elsewhere, as may be considered by the Colonial Government likely to advance the interests of Van Diemen's Land, by sending out suitable emigrants," on the condition that the emigrants to be sent out shall sign a promisory note on the back of the bounty ticket, undertaking to pay to the immigration agent at Hobart Town, within six months after arrival, the deposit of 3 *l.*, or 5 *l.*, as the case may be. The immigrants obtained under this scheme are to be sent out in private ships, the bounty tickets being endorsed over to the master for the passage-money.

7. We have reason to know that these Regulations have already been acted on to a great extent, and a considerable number of bounty tickets sent home. It is, therefore, with no intention of arresting the scheme that we proceed to offer such remarks upon it as seem to us important. But as the local government of Van Diemen's Land appears anxious that the details of emigration to that colony should be carried out only in obedience to rules prescribed by themselves, it will probably assist them, in framing such rules, to offer, for their consideration, the results of our experience during the extensive emigration of the last seven years.

8. The Regulations, then, appear to us to be drawn up in terms far too general and undefined, and to allow far too much latitude in their application. For instance, the deposit on account of a "family" is fixed at 5 *l.*, but there is no limitation as to the number or ages of those who are to compose it. Now, the families which are always most eager to emigrate, and whose instances we have the greatest difficulty in resisting, are those with large numbers of young children. But the Regulations, in their present shape, so far from opposing an obstacle, actually offer a premium, to such families. We should apprehend, therefore, that the amount of available labour is likely to be very disproportionate to the numbers sent out, and the expense incurred. Take, for example, a family consisting of the parents and eight children under 14, of whom two are under three. The colony would receive 5 *l.*, and pay 110 *l.* for, in fact, the labour of one individual, as the mother could not do more than attend to her young children. More extreme cases will constantly occur, but it is unnecessary to exemplify them. But if the deposit nominations in force in Victoria and New South Wales, though fenced round by conditions which very much restricted their operations, and subject to the control of this Board, became objects of purchase in this country, on account of the privileges which they conferred, we can scarcely doubt that these Van Diemen's Land orders, which confer privileges so much wider and uncontrolled, will become objects of purchase as soon as they are known in this country. It would be well worth the while of any person interested in a large and helpless family, or of any parish burthened with paupers of that description, to purchase bounty orders on Van Diemen's Land, with a view to their own relief, and the more helpless the family the more valuable would be the bounty order to the purchaser, and the more costly to the colony. We should apprehend, that in this respect the scheme will be found to work badly.

9. Again, nothing is said as to the age, character, or capacity for work of the persons to be sent out. There is nothing to exclude persons past work, or physically incapable of it, or of bad character and depraved habits, provided only that the persons taking out the orders express their intention of employing them on arrival. This is a most serious omission, particularly as regards the female portion of the emigration, and is likely, we should fear, to give rise to much inconvenience. It, of course, offers another, and perhaps a stronger inducement to a traffic in these orders.

10. Again, persons of the labouring classes are to be permitted to import their friends on the single condition that the persons so imported shall be of the working class, and intend to labour in the colony for their livelihood. We can hardly suppose that the local authorities could be aware of the very wide meaning of the term "working class" in this country, or of the extent to which this rule is likely to be taken advantage of by persons wholly unsuited to colonial life. The experience of 1852 showed how readily distressed persons in England flocked to Australia, without considering their suitability to the work there required, and every day affords us instances of the confidence with which those who fail here seek a conveyance to the colonies as a certain means of success. The extreme latitude, therefore, of the Colonial Regulations is not likely to be corrected by any prudence on the part of any portion of the working classes in this country, to whom passages may be offered on the easy terms which it prescribes.

11. Lastly, the transmission of blank orders to committees and agents in this country, who can scarcely be brought under any practical responsibility to the colony, and will certainly be responsible to no one else, seems to us an experiment full of risk. As, however, the colonial authorities may have some means of selecting and controlling such committees and agents with which we are unacquainted, we content ourselves with the remark that our own experience would not lead us to trust to the selections of those who undertake the task with a view primarily to the advantage of the emigrant, and secondarily only to that of the colony. In such cases we find that where the two interests conflict, the supposed advantage to the emigrant almost always prevails.

AN DIEMEN'S
LAND.

12. Upon the whole we should apprehend that these Bounty Regulations, though they may add to the population of the colony, will not add in a fair proportion to its available labour, and will be liable to be misapplied in a very injurious manner. The sum voted to carry them into operation was, however, only 50,000 *l.*, and it may therefore happen that their full scope, and the facilities which they offer for transferring to Van Diemen's Land helpless or worthless characters, may not be discovered in this country before that amount is exhausted. In that case there may be the opportunity of revising them before any further sum is voted for the service, if the Government and Legislature of Van Diemen's Land should think it right to do so. And we would accordingly submit that if Sir George Grey should consider our observations well founded, the substance of them might be communicated for the consideration of the Lieutenant-Governor, with a view to his future operations.

We have, &c.

(signed) *T. W. C. Murdoch.*
Frederic Rogers.

Herman Merivale, Esq.
&c. &c. &c.

— No. 2. —

(No. 8.)

No. 8.
r G. Grey, Bart.,
.P., to Governor
r H. E. F. Young,
November 1854.
* Page 85.

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., M. P.,
to Governor Sir *H. E. F. Young*.

Sir,

Downing-street, 27 November 1854.

I HAVE received your predecessor's despatch, No. 99,* of the 13th June last, submitting for the Royal Allowance an amended Proclamation, which, in pursuance of an instruction addressed to him by the Duke of Newcastle, he has issued under the Passengers' Act, declaring the length of voyages from that colony, and the dietary and medicines which are to be used in sailing vessels carrying passengers therefrom to any of the places mentioned in the Proclamation.

I have to acquaint you that I have laid this Proclamation before the Queen and that Her Majesty has been pleased to assent to the same.

I have, &c.

(signed) *G. Grey.*

A P P E N D I X.

NEW SOUTH WALES.

Appendix, No. 1.

RETURN of the POPULATION, TRADE, and IMMIGRATION of the Colony of *New South Wales* in the Year 1853.

(a) POPULATION on 31st December.			IMMIGRATION. (b)	(c) TRADE.							
Free.	Bond.	TOTAL.		Imports, Value.	Exports, Value.	SHIPPING.		WOOL EXPORTED.		GOLD EXPORTED.	
						Inwards.	Outwards.	Quantity.	Value.	Quantity.	Value.
				£.	£.			Lbs.	£.	Oz. dwt. gr.	£.
228,845	2,243	231,088	13,767	6,342,397	4,523,346	{ 1,048 No. 336,852 Tons	{ 1,061 No. 341,540 Tons	{ (¹)16,477,869 (²)16,358,869 (Colonial.)	{ 1,005,546 999,896	{ 548,052 19 21	1,781,172

(a) POPULATION.—Taken from the “Blue Book” and printed “Statistics.” The military, but not the aborigines, are included. The bond includes 1,495 holding tickets of leave; viz. 1,105 British, 390 Colonial.

(b) IMMIGRATION.—Taken from a Return furnished by the Agent for Immigration.—See printed “Statistics,” No. 2.

(c) TRADE.—Taken from the printed “Statistics.”

WOOL.—(¹) Total Quantity and Value of Wool Exported, as per “Return of Exports,” No. 26, p. 20.

(²) Quantity and Value of Wool Exported, the produce of the Colony only, as per Return, No. 41, p. 28.

GOLD.—Includes a portion of the gold brought from the neighbouring colony of Victoria, but which cannot be distinguished.

Colonial Secretary's Office, Sydney, New South Wales,
1 June 1854.

C. D. Riddell,
Acting Colonial Secretary.

A STATEMENT of the REVENUE and EXPENDITURE of the Colony of *New South Wales* in the Year 1853.

Year ended 31 December	REVENUE.							EXPENDITURE.
	Crown Revenue.					Ordinary Revenue.	TOTAL Local Revenue.	
	From Sales of Land.		Other Receipts from Land.	Other Heads of Crown Revenue.	TOTAL Crown Revenue.			
	Amount received in the Colony.	Amount received in Certificates from England.						
(a) £. s. d.	(b) £. s. d.	(c) £. s. d.	£. s. d.	£. s. d.	(d) £. s. d.	£. s. d.	(e) £. s. d.	
1853 - - -	169,257 11 5	700 - -	48,533 15 9	5,848 13 10	224,340 1 -	557,544 1 8	781,884 2 8	653,201 1 5

(a) This column shows the Amount actually received within the calendar year, excluding all remissions allowed in the Purchase of Land.

(b) This column shows the extent to which credit has been claimed within the year by parties purchasing Land under Certificates of Deposits granted by the Colonial Land and Emigration Commissioners.

(c) Includes Leases, Licenses, Quit Rents, Fees, &c.

(d) The Amount stated in this column is exclusive of all sums not constituting real Revenue, such as Sums received for Remittance to England, Repayment of Loans, Sums raised by Debentures, Balances received from Public Officers on Account of Advances previously made to them, and Sums received for Supplies furnished to other Colonies.

(e) In like manner the Amount shown in this column is exclusive of all Sums not constituting real Expenditure, such as Advances to Public Officers on Account, Loans to other Colonies, and Remittances to England of Sums received in the Colony.

Audit Office, Sydney, New South Wales,
10 May 1854.

John Stirling,
Acting Auditor-General.

NEW SOUTH
WALES.

Appendix.

Appendix, No. 2.

No. XXIX.—AN ACT to amend the Quarantine Laws in certain Particulars.

[Assented to, 24 October 1853.]

amble.

WHEREAS the laws relating to quarantine require amendment, as hereinafter provided :
Be it enacted by his Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, as follows :—

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I. Every commander, master, or other person having the charge of any vessel arriving at any port in the said colony, from parts beyond the seas, who shall neglect or refuse to give to the pilot, health officer, or person boarding or conducting any such vessel as aforesaid such written paper as is required by the 4th section of the Quarantine Act, passed in the third year of the reign of his late Majesty King William the Fourth, or who shall deliver any such written paper as is required by the said enactments with any false statement contained therein, or who shall wilfully omit to make therein any statement required by the said Act, or who shall make any false answer to any such questions which may be put to him by such pilot or person boarding or conducting such vessel as aforesaid, shall be guilty of a misdemeanor, and shall on conviction be imprisoned, with or without hard labour, for any period not exceeding two years, or fined in any sum not exceeding 300*l.*, at the discretion of the court or judge before whom he shall be convicted.

II. The surgeon, dispenser, or other medical officer of every such vessel shall truly answer all such questions as shall be put to him by such pilot, health officer, or other person as aforesaid, touching the health of the crew and passengers of such vessel during the voyage, and the cause or causes of the death of any person who may have died on board, or of any of the passengers or crew who may have died on shore in the course of the voyage, and touching the existence of any infectious or contagious disease at any port or place from which such vessel shall have come, or at which it shall have touched.

III. Any such surgeon, dispenser, or other medical officer who shall refuse to answer such questions as shall be so put to him, or shall make any false answer to any question put to him as aforesaid, shall be guilty of a misdemeanor, and shall on conviction be imprisoned, with or without hard labour, for any period not exceeding two years, or fined in any sum not exceeding 300*l.*, at the discretion of the court or judge before whom he shall be convicted.

IV. The words "person boarding any such vessel," as the same are used in the said in part recited Act, shall be held to apply to any health officer appointed by the said Governor, and to any other person appointed by the said Governor to board any vessel arriving in any port in the said colony, whether such health officer or other person shall actually board such vessel or shall only go alongside the same, and demand such written paper, or put such questions as aforesaid without such actual boarding.

V. The provisions of the 7th section of the Quarantine Act, passed in the third year of the reign of his Majesty King William the Fourth, shall be deemed to apply to all vessels and persons liable to perform quarantine, notwithstanding that no such Proclamation as is mentioned in the 6th section of that Act shall have been issued.

VI. No vessel arriving in the harbour of Port Jackson from parts beyond the seas, except as provided by the next section hereof, in respect of vessels from the Australasian colonies, shall be brought higher up the harbour, than Pinchgut Island, nor shall any person whatsoever quit such vessel, until the same shall have been boarded by the health officer, and admitted to pratique; and if any person shall offend against the provisions of this enactment, he shall, on conviction of such offence before any two justices of the peace, forfeit and pay any sum not exceeding 100*l.*

VII. The provisions contained in the last preceding clause shall not, nor shall the provision contained in the 8th section of the Harbour Act, passed in the seventh year of Her present Majesty's reign, requiring a blue flag to be hoisted and kept flying, apply to vessels arriving from any of the Australasian colonies, including New Zealand, unless at the time of the arrival of any such vessel, or within 14 days previously thereto, there shall be or shall have been an infectious or contagious disease on board thereof; or unless a Proclamation shall have been issued by the Governor, with the advice of the Executive Council, under the 1st section of the said recited Act, requiring, in consequence of the existence of any infectious or contagious disease in any one or more of the Australasian colonies, that vessels arriving therefrom should be placed in quarantine; in either of which cases the said provisions respectively shall apply to such vessels, and to all persons on board thereof, in the same manner as to vessels not arriving from any of the Australasian colonies.

VIII. No person shall with any boat whatever other than the boat belonging to the Pilots, the Post-office, the Police, and the Customs, board or go alongside of any vessel arriving in the harbour of Port Jackson from any place, other than those coming within the exemption contained in the last preceding clause, until such vessel shall have been boarded by the health officer, and the visiting flag shall have been hauled down; and no person other than a pilot

a pilot shall go on board such vessel from any Post-office, Police, or Customs boat which shall have gone alongside, until such time as aforesaid; and if any person shall offend against the provisions hereof, or if any master of a merchant vessel in harbour shall order, or permit, or suffer any of his boats or crew to board or go alongside any such vessel so arriving as aforesaid, for the purpose of communicating with the persons in any such vessel as last mentioned, whilst the visiting flag shall continue to be flying at the mast thereof, every such master or other person shall, for every such offence, on conviction thereof before any two justices of the peace, forfeit and pay a sum not exceeding 50*l*.

IX. In case it shall be deemed necessary by the Governor, with the advice of his Executive Council, to appoint any medical officer to take charge of any of the crew and passengers of a vessel placed in quarantine, it shall be competent to the said Governor, with such advice, to fix the amount of remuneration to be paid to such medical officer for his services, and to cause the same to be paid by the Colonial Treasurer; and the amount so paid shall be repaid to the said Colonial Treasurer, by the owners or agents of such vessel, before she shall be permitted to clear out and leave the port in which she shall then be: Provided that this enactment shall not apply to any vessel chartered by the Government for the conveyance of immigrants.

X. It shall be the duty of the owners and agents of any vessel placed in quarantine to supply the crew and passengers thereof with such wholesome and suitable provisions and medicines as shall be required by the medical practitioner in charge; and if such provisions and medicines are not forthwith supplied accordingly, the same may be provided under the order of the Governor; and the cost thereof, including the conveyance of the same, shall be paid by the said owners or agents into the hands of the Colonial Treasurer, before such vessel shall be permitted to clear out or leave the port in which she shall then be: Provided that nothing herein contained shall apply to or in respect of immigrants conveyed at the charge of the Government, under charters by which the owners are exempted from liability for the maintenance and care of such immigrants whilst under quarantine.

XI. It shall be lawful for the Governor, with the advice of the Executive Council, to make such rules and regulations as to his Excellency and the said Council shall seem meet for observance by the masters, officers, and crews of vessels in quarantine, and by the passengers and all other persons whomsoever, whilst performing quarantine on board such vessels or on shore; and by such rules and regulations to impose such fines or penalties not exceeding 20*l*. in any case, as the said Governor and Executive Council shall think fit; and all such fines and penalties shall be recoverable before any two justices of the peace, at any time within two months after the offenders shall have been released from quarantine.

XII. A copy of this Act, and of the said recited Act, and of the Act for amending the same, passed in the fifth year of Her present Majesty's reign, shall be given by the pilot or person boarding any such vessel to the master thereof, immediately on her arrival in any such port.

(signed) *Charles Nicholson*,
Speaker.

Passed the Legislative Council, this 5th day of October 1853.

(signed) *Wm. Macpherson*,
Clerk of the Council.

In the name and on the behalf of Her Majesty, I assent to this Act.

(signed) *Chs. A. FitzRoy*,
Governor-General.

Government House, Sydney,
24 October 1853.

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DIEMEN'S
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Appendix.

VAN DIEMEN'S LAND.

Appendix, No. 1.

No. XXIII.—AN ACT to repeal the Act of Council of this Island, intituled, “An Act to consolidate the Laws relating to Apprentices and Servants, and to substitute other Provision in lieu thereof.”—[20 October 1852.]

le.
No. 12.4 Vict.,
(Apprentices
and Servants Act).ment of arti-
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WHEREAS an Act of Council or Ordinance of this Island was passed in the 4th year of the reign of Her present Majesty Queen Victoria, intituled, “An Act to consolidate the Laws relating to Apprentices and Servants:” And whereas it is expedient that the said recited Act should be repealed, and such other provision be substituted in lieu thereof as hereinafter enacted: Be it therefore enacted by his Excellency Sir William Thomas Denison, Knight, Lieutenant-governor of the Island of Van Diemen's Land and its dependencies, with the advice of the Legislative Council of the said Island, that from and after the passing of this Act, the said recited Act of Council of this island, intituled, “An Act to consolidate the Laws relating to Apprentices and Servants,” shall be and the same is hereby repealed, excepting always as to all or any offences committed or matters or things done before the passing of this Act, all which offences, matters and things shall be dealt with as if this present Act had not been passed.

II. And be it enacted, that from and after the passing of this Act, if any artificer, manufacturer, journeyman, workman, labourer, or other servant, hired or engaged by or on behalf of any person for any time or term whatsoever, shall fail, refuse, or neglect to proceed to and enter upon such service or employment, pursuant to such hiring or engagement, or if any artificer, manufacturer, journeyman, workman, labourer, or other servant so hired or engaged as aforesaid, or employed in any manner howsoever, either as a menial or house servant, or in any other capacity whatsoever, shall, during any part of such time or term for which he shall have been so hired or engaged, or during such employment, absent himself from the lawful and useful service or employment of the person by or on behalf of whom he shall have been so hired, engaged or employed as aforesaid, or shall fail, refuse, or neglect to work in the trade, calling, or employment for which he shall have been so hired, engaged, or employed as aforesaid, in a diligent and careful manner, after having been thereunto required by the person by or on behalf of whom he shall have been so hired, engaged, or employed, or shall return his or her work, or desert or quit the same before such work shall be completely finished without the consent of the person by or on behalf of whom he shall have been so hired, engaged, or employed, or shall be guilty of any other misconduct during the time or term of such hiring or engagement or during such employment, it shall be lawful for any justice of the peace in and for this island and its dependencies, upon complaint thereof upon oath made by the person by or on behalf of whom such party so offending shall have been so hired, engaged, or employed, or by any person on behalf of such person (which oath such justice is hereby authorised and empowered to administer), to issue his warrant for the apprehension and bringing of the party so offending before any two justices of the peace in and for this island and its dependencies, and such last-named justices are hereby authorised and empowered to hear and determine the matter of such complaint, and upon the conviction by such justices of any such party so offending of any such offence as aforesaid, it shall be lawful for such justices to commit such party so offending and convicted as aforesaid to some gaol or house of correction, there to remain and be kept to hard labour for any term not exceeding two calendar months, or to order that such party so offending and convicted as aforesaid shall forfeit all or any part of the wages or monies which shall or may, at the time of such conviction, be due and owing to such party so offending and convicted as aforesaid from or by the person by or on behalf of whom he shall have been so hired, engaged, or employed as aforesaid, or so to commit such party so offending and convicted as aforesaid, and also to order any such forfeiture of any such wages or monies as aforesaid, as in the discretion of such justices shall appear reasonable and proper.

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III. And whereas labourers frequently contract with persons for the performance of certain work, and do leave or absent themselves from their contract or work before fulfilling or completing the same, and do otherwise misconduct themselves during the continuance of such contract or work, to the great annoyance and injury of the persons with whom they so contract: Be it therefore enacted, that from and after the passing of this Act, if any labourer who shall contract with any person for the performance of any work shall fail, refuse or neglect to proceed to and enter upon the performance of such work, pursuant to such contract, or shall leave or absent himself from such work without the consent of the person with whom he shall have so contracted, before the completion thereof, pursuant to such contract, or shall fail, refuse, or neglect to perform such work for which he shall have so contracted, in a diligent and careful manner, and pursuant to such contract, or shall be guilty of any other misconduct during the continuance of such contract, it shall be lawful

for

for any justice of the peace in and for this island and its dependencies, upon complaint thereof upon oath made by the person with whom such labourer shall have so contracted, or by any person on behalf of such person (which oath such justice is hereby authorised and empowered to administer), to issue his warrant for the apprehension and bringing of the party so offending before any two justices of the peace in and for this island and its dependencies, and such last-named justices are hereby authorised and empowered to hear and determine the matter of such complaint, and upon the conviction by such justices of any such party so offending of any such offence as last aforesaid, it shall be lawful for such justices to commit such party so offending and convicted as last aforesaid to some gaol or house of correction, there to remain and be kept to hard labour for any term, not exceeding two calendar months, or to order that such party so offending and convicted as last aforesaid shall forfeit all or any part of the monies which shall or may be due and owing or be coming to such party so offending and convicted, as last aforesaid, from the person with whom he shall have so contracted for in respect or by virtue of such contract, or so to commit such party so offending and convicted as last aforesaid, and also to order any such forfeiture of any such monies as last aforesaid, as in the discretion of such justices shall appear reasonable and proper.

IV. And be it enacted, that from and after the passing of this Act, if any person being bounden by any indenture, deed, or agreement in writing to serve as an apprentice or indented servant in any trade, business, or occupation, and upon whose binding out no larger sum than 20*l.* shall have been paid, shall, without the leave of his master or employer, absent himself from such master's or employer's service before the term of his apprenticeship or service shall be expired, or shall be guilty of any other misconduct during the term of such apprenticeship or service, it shall be lawful for any justice of the peace in and for this island and its dependencies, upon complaint thereof upon oath made by such master or employer, or by any person on his behalf (which oath such justice is hereby authorised and empowered to administer), to issue his warrant for the apprehension and bringing of such apprentice or indented servant so offending as aforesaid before any two justices of the peace in and for this island and its dependencies; and such last-named justices are hereby authorised and empowered to hear and determine the matter of such complaint; and upon the conviction by such justices of any such apprentice or indented servant so offending of any such offence as aforesaid, it shall be lawful for such justices to commit such apprentice or indented servant so offending and convicted as aforesaid to some gaol or house of correction, there to remain and be kept to hard labour for any term not exceeding one calendar month, or to discharge such apprentice or indented servant so offending and convicted as aforesaid to the service of his master or employer, or to discharge such apprentice or indented servant so offending and convicted as aforesaid from such service of his master or employer, under and by virtue of such indenture, deed, or agreement in writing as aforesaid, and to order the same to be cancelled, or so to commit such apprentice or indented servant so offending and convicted as aforesaid, and also to discharge him from such service under such indenture, deed, or agreement as aforesaid, and order the same to be cancelled as aforesaid, as in the discretion of such justices shall seem reasonable and proper.

V. And be it enacted, that every such apprentice or indented servant who shall so as aforesaid, without the leave of his master or employer, absent himself from such master's or employer's service, shall at any time thereafter (whenever he shall be found) be compelled to serve his said master or employer for so long a time as he shall have so absented himself, unless he shall make satisfaction for the loss by such master or employer sustained by reason of such absence; and so, from time to time, as often as any such apprentice or indented servant shall, without such leave as aforesaid, so absent himself from such service as aforesaid, and any such further time for which any such apprentice or indented servant shall be so compelled to serve as aforesaid, shall for the purposes of this Act be deemed and taken to be, and shall be part and parcel of the original term of apprenticeship or service for which such apprentice or indented servant shall have been so bound as aforesaid; and in case any such apprentice or indented servant shall refuse or fail to serve for such further time as hereby required, or to make such satisfaction as aforesaid, it shall, if such apprentice or indented servant so refusing or failing to serve, or to make such satisfaction, shall not then be in custody, be lawful for any justice of the peace in and for this island and its dependencies, upon complaint thereof upon oath made by the master or employer of such apprentice or indented servant so offending, or by any person on his behalf (which oath such justice is hereby authorised and empowered to administer), to issue his warrant for the apprehension and bringing of such apprentice or indented servant so offending as last aforesaid before any two justices of the peace in and for this island and its dependencies; and upon any such apprentice or indented servant so offending as last aforesaid being brought before any two justices of the peace by virtue of any such warrant as last aforesaid, or otherwise, such justices are hereby authorised and empowered to hear and determine any complaint made by the master or employer of such apprentice or indented servant against such apprentice or indented servant, for so refusing or failing to serve, or to make such satisfaction as aforesaid, and also to determine the satisfaction which shall be made by such apprentice or indented servant; and in case such apprentice or indented servant shall refuse or fail to make such satisfaction pursuant to such determination of such justices, or to give security for the same, it shall be lawful for such justices to commit such apprentice or indented servant to some gaol or house of correction, there to remain and be kept to hard labour for any term not exceeding one calendar month.

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mentioned.

VI. And be it enacted, that from and after the passing of this Act it shall be lawful for any justice of the peace in and for this island and its dependencies, upon the complaint upon oath of any such artificer, manufacturer, journeyman, workman, labourer, or other servant so hired or engaged by or on behalf of any person so employed, as in the second section of this Act mentioned (which oath such justice is hereby authorised and empowered to administer), against any such person by or on behalf of whom he shall have been so hired, engaged, or employed, touching or concerning any misuseage, refusal of necessary provision, non-payment of wages, cruelty, or other ill-treatment whatsoever, of or towards such artificer, manufacturer, journeyman, workman, labourer, or other servant, as aforesaid, to summon such person by or on behalf of whom he shall have been so hired, engaged, or employed, to appear before any two justices of the peace in and for this island and its dependencies, at a reasonable time to be named in such summons; and such last-named justices are hereby authorised and empowered to hear and determine the matter of such complaint; and upon proof thereof, and of the service of such summons, upon oath made to the satisfaction of such justices, it shall be lawful for such justices (whether such person by or on behalf of whom the complainant shall have been so hired, engaged, or employed, shall appear before such justices or not), to order the payment of such wages as shall appear to such justices to be then due and owing to the complainant by such person, by or on behalf of whom he shall have been so hired, engaged, or employed as aforesaid, or to order and award such amends to be made to such complainant by such person, by or on behalf of whom he shall have been so hired, engaged, or employed as aforesaid, as such justices shall think fair and just, or so to order the payment of any such wages as aforesaid, and also to order and award any such amends to be made as aforesaid, as in the discretion of such justices shall appear reasonable and proper; and any such order for the payment of wages, or any such order and award for amends, or any such order and award for the payment of wages and for amends, shall and may be carried into effect by distress and sale of the goods and chattels of such person, by or on behalf of whom the complainant shall have been so hired, engaged, or employed as aforesaid: Provided always, that in no case shall any such amends so to be ordered and awarded as aforesaid exceed the amount of wages for six months of such complainant.

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VII. And be it enacted, that from and after the passing of this Act, it shall be lawful for any justice of the peace in and for this island and its dependencies, upon the complaint upon oath of any labourer who shall so contract with any person, as in the 3d section of this Act mentioned (which oath such justice is hereby authorised and empowered to administer), against any such person with whom he shall have so contracted touching or concerning any misuseage, refusal of necessary provision, non-payment of any monies which shall be due and owing for or in respect or by virtue of such contract, cruelty, or other ill-treatment whatsoever of or towards such labourer, who shall have so contracted as aforesaid, to summon such person with whom he shall have so contracted to appear before any two justices of the peace in and for this island and its dependencies, at a reasonable time to be named in such summons, and such last-named justices are hereby authorised and empowered to hear and determine the matter of such complaint; and upon proof thereof, and of the service of such summons, upon oath made to the satisfaction of such justices, it shall be lawful for such justices (whether such person with whom the complainant shall have so contracted shall appear before such justices or not) to order the payment of such monies as shall appear to such justices to be then due and owing to the complainant by such person with whom he shall have so contracted for or in respect or by virtue of such contract, or to order and award such amends to be made to such complainant by such person with whom he shall have so contracted as such justices shall think fair and just, or so to order the payment of any such monies as aforesaid, and also to order and award any such amends to be made as aforesaid as in the discretion of such justices shall appear reasonable and proper; and any such order for the payment of any such monies, or any such order and award for amends, or any such order and award for the payment of any such monies and for amends, shall and may be carried into effect by distress and sale of the goods and chattels of such person with whom the complainant shall have so contracted: Provided always, that in no case shall any such amends so to be ordered and awarded as aforesaid exceed the total amount of the monies which would become due and payable to such complainant for or in respect or by virtue of such contract, if completed.

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VIII. And be it enacted, that from and after the passing of this Act, it shall be lawful for any justice of the peace in and for this island and its dependencies, upon the complaint upon oath of any such apprentice or indentured servant so bounden, as in the 4th section of this Act mentioned (which oath such justice is hereby authorised and empowered to administer), against his master or employer touching or concerning any misuseage, refusal of necessary provision, cruelty, or other ill-treatment whatsoever of or towards such apprentice or indentured servant, to summon such master or employer to appear before any two justices of the peace in and for this island and its dependencies, at a reasonable time to be named in such summons, and such last-named justices are hereby authorised and empowered to hear and determine the matter of such complaint; and upon proof thereof, and of the service of such summons upon oath made to the satisfaction of such justices, it shall be lawful for such justices (whether such master or employer shall appear before such justices or not) to discharge such apprentice or indentured servant so complaining from the service of such master or employer, under and by virtue of any such indenture, deed, or agreement in writing as hereinbefore provided, and to order the same to be cancelled.

IX. And

IX. And be it enacted, that in any case in which, under and by virtue of any provision in this Act contained, any two justices of the peace in and for this island and its dependencies shall discharge any such apprentice or indentured servant so bounden by any indenture, deed, or agreement in writing, as hereinbefore mentioned, from the service of his master or employer, and shall order such indenture, deed, or agreement in writing to be cancelled, such indenture, deed, or agreement in writing shall thenceforth, to all intents and purposes, be deemed and taken to be and shall be cancelled, and shall thenceforth be null and void, and of no force or effect whatsoever.

X. And be it enacted, that from and after the passing of this Act, if any person shall knowingly and unlawfully harbour, employ, receive, or entertain any such artificer, manufacturer, journeyman, workman, labourer, or other servant so hired or engaged by or on behalf of any person, or so employed as in the 2d section of this Act mentioned, or any labourer who shall so contract with any person, as in the 3d section of this Act mentioned, during any part of the time or term of any such hiring, engagement or employment, or during the continuance of any such contract, without the leave of the person by or on behalf of whom he shall have been so hired, engaged or employed, or with whom he shall have so contracted, or shall knowingly and unlawfully harbour, employ, receive, or entertain any such apprentice or indentured servant who shall have so absented himself, as in the 4th section of this Act mentioned, every such offender, being lawfully convicted thereof before any two justices of the peace in and for this island and its dependencies, in the mode prescribed by the Act of this island, intituled, "An Act to regulate Summary Proceedings before Justices of the Peace," shall, for any such offence, forfeit and pay a penalty or sum not exceeding 50*l.*, whereof one moiety shall be received by the informer for his own use, and the other moiety shall go and be applied in aid of the general revenue of this colony; and if any person shall think himself aggrieved by such conviction, such person shall be entitled to appeal therefrom in the manner prescribed by the said last-mentioned Act.

XI. And whereas it is expedient to facilitate, in the manner hereinafter provided, the mode of redress by female apprentices and servants under age, who may be seduced by their master or employer whilst in the service of such master or employer: Be it therefore enacted, that whenever any action shall be brought by any parent, or person standing in the place of a parent, or by any guardian or other person by law entitled to bring such action against the master or employer of any female apprentice or servant under age, for the alleged seduction by such master or employer of such female apprentice or servant whilst in his service, it shall not be necessary to aver that such female apprentice or servant was and continued to be the servant of such parent or of such person standing in the place of a parent, or of such guardian or other person by law entitled to bring such action or to give evidence of any service or constructive service of any such female apprentice or servant with such parent or person standing in the place of a parent, or with such guardian or other person by law entitled to bring such action; but every such action shall and may be maintained without such averment or proof as aforesaid in as full and ample a manner, to all intents and purposes, as though such averment and proof were made and given, any law or usage to the contrary in anywise notwithstanding.

XII. And be it enacted, that if any such female apprentice or servant, who shall be so seduced as aforesaid, shall have no parent or person standing in the place of a parent, or guardian or other person who by law can become the plaintiff in any such action against the master or employer of such female apprentice or servant, it shall be lawful for the Supreme Court of Van Diemen's Land, or for any Judge thereof, upon application in that behalf made by such female apprentice or servant, or by any person for that purpose, by such female apprentice or servant, specially authorised to appoint some fit and proper person to sue, on behalf of such female apprentice or servant, as plaintiff in any such action; and if upon any such application it shall also be made to appear to the satisfaction of the said Supreme Court, or such Judge thereof, that such female apprentice or servant is not possessed of property to the value of 5*l.* over and above the debts and liabilities of such female apprentice or servant, it shall also be lawful for such Court or Judge to order that such person, so appointed to sue as plaintiff as aforesaid, shall be so admitted to sue *in forma pauperis*; and in any such action as last aforesaid it shall not be necessary to aver that such female apprentice or servant was and continued to be the servant of such person so appointed to sue as plaintiff as aforesaid, or to give evidence of any service or constructive service of any such female apprentice or servant with such person so appointed to sue as plaintiff as aforesaid, but every such action shall and may be maintained without such averment or proof as aforesaid in as full and ample a manner, to all intents and purposes, as though such averment and proof were made and given, any law or usage to the contrary in anywise notwithstanding.

XIII. And be it enacted, that if any person in any part of the United Kingdom of Great Britain and Ireland, or any other part beyond the seas, shall make or enter into any contract or agreement in writing for service in this colony, for any time or term certain, as an artificer, manufacturer, journeyman, workman, labourer, or other servant employed in any manner howsoever, either as a menial or house servant, or in any other capacity whatsoever, and shall arrive in this colony in pursuance of such contract or agreement, such contract or agreement, in writing, shall be of the same force and effect as if the same had been made and entered into in this colony; and such person so making or entering into the same shall

If justices order the deed to be cancelled under which apprentice or indentured servant is bound, same to be deemed void.

Punishment for harbouring, &c., artificers, labourers, apprentices, &c. during service or apprenticeship.

Facilitates mode of redress by female apprentices and servants under age.

Authorises the appointment of a person to sue on behalf of female apprentice and servants.

Certain contracts for service made beyond the colony to be valid, as if made in the colony.

AN DIEMEN'S
LAND.

Appendix.

facilitates the proof
of such contracts.

interpretation.

be subject and liable to the several provisions in this Act contained in the same manner, to all intents and purposes, as though such person were an artificer, manufacturer, journeyman, workman, labourer, or other servant, hired or engaged, as in the second section of this Act mentioned.

XIV. And for facilitating the proof of any such contract or agreement, in writing, so made or entered into in any part of the United Kingdom of Great Britain and Ireland, or other part beyond the seas: Be it enacted, that the production of any such contract or agreement, in writing, with evidence that the person alleged to have entered into the same arrived in this colony subsequent to the date thereof, and that such person bore, had, or was called or known by the name mentioned in such contract or agreement, or had in any manner admitted his having made or entered into any such contract or agreement for any such service in this colony with the employer named in such contract or agreement, shall, without proof of the execution of such contract or agreement, be deemed and taken to be and shall be for the purposes of this Act sufficient *prima facie* evidence of such contract or agreement, and of the identity of the person making or entering into the same with such person so having arrived as aforesaid, any law or usage to the contrary in anywise notwithstanding.

XV. And be it enacted, that throughout this Act every word or term used in the singular number only, and every word or term importing the masculine gender only, shall respectively be held and construed to signify and include the plural number and feminine gender, and *vice versa*, unless such construction be in anywise repugnant to the spirit or context of the provisions of this Act.

XVI. And be it enacted, that in citing or referring to this Act in other Acts of Council, and in legal instruments and proceedings, it shall be sufficient to use the expression the "Servants and Apprentices Act, 1852."

(signed) *Richard Dry*,
Speaker.

Passed the Legislative Council, this 19th day of October 1852.

(signed) *Fr. Hartwell Henslowe*,
Clerk of the Council.

In the name and on the behalf of Her Majesty, I assent to this Act.

Government House, Hobart Town,
20 October 1852.

(signed) *W. Denison*,
Lieut.-Governor.

Appendix, No. 2.

RETURN of the POPULATION, IMMIGRATION and EMIGRATION, TRADE, REVENUE and EXPENDITURE of *Van Diemen's Land*, for the Years ending 31 December 1851, 1852, and 1853.

Y E A R	POPULATION.			IMMIGRATION.	EMIGRATION.	TRADE.				REVENUE AND EXPENDITURE.												
	Free.	Bond.	TOTAL.			SHIPPING.		WOOL EXPORTED.		REVENUE.				EXPENDITURE.								
						Imports, Value.	Exports, Value.	Inwards Outwards.	Quantity.	Value.	Proceeds of Land Sales.	Other Receipts.	Total Land Revenue.	Ordinary Revenue.	Gross Local Revenue.	From the General Revenue.	From the Land Revenue.					
1851	49,529	20,069	69,598	3,930	7,463	£.	£.	782	787	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.	£.
1852	44,441	19,105	63,546	12,632	21,920	860,488	1,509,883	791	824	2,004,959	245,200	2,004,959	245,200	12,826	29,577	42,403	181,079	223,482	177,467	37,592	191,443	77,072
1853	49,204	16,745	66,009	13,452	12,684	2,273,397	1,756,316	1,024	999	2,483,466	326,096	2,483,466	326,096	47,476	48,214	90,690	257,872	348,562	191,443	77,072		

Note.—The population is calculated by adding to the amounts as ascertained by the Census of 1st March 1851, the births and arrivals, and deducting the deaths and departures.

VAN DIEMEN'S
LAND.

Appendix.

EMIGRATION (AUSTRALIA).

COPIES or EXTRACTS of DESPATCHES relative to
EMIGRATION to the AUSTRALIAN COLONIES (in
continuation of Parliamentary Paper, No. 486, of
last Session).

(*Mr. Peel.*)

*Ordered, by The House of Commons, to be Printed,
6 February 1855.*

[*Price 1 s.*]

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EMIGRATION (NORTH AMERICA).

RETURN to an Address of the Honourable The House of Commons,
dated 13 July 1855;—*for*,

“COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the
NORTH AMERICAN COLONIES (in continuation of Papers presented
April 1854.”)

Colonial Office, }
6 August 1855, }

JOHN BALL,

(*Mr. John Ball.*)

Ordered, by The House of Commons, to be Printed,
7 August 1855.

S C H E D U L E.

C A N A D A.

DESPATCHES FROM GOVERNOR-GENERAL SIR E. HEAD, BART.

Number in Series.	Date and Number.	S U B J E C T.	Page.
1	1855: 13 February - (14)	ANNUAL REPORT OF THE CHIEF AGENT FOR EMIGRATION, 1854 - - - - -	1
		Total Number of Emigrants landed; great increase of Emigrants arrived; per centage of arrivals from the United Kingdom and the Continent of Europe, &c.; comparative Statement of Emigration, 1853 and 1854; great increase in the Departure from Liverpool; Number of Vessels coming under the operation of the Passengers' Act; average Length of Voyage; per centage of Deaths; Statistics of Disease from Cholera, &c. - - - - -	2
		Great increase in the Number of Female Emigrants from Ireland - -	5
		Wrecks: Returns of Shipwrecked Emigrants; Measures for their recep- tion, &c.; Necessity for prompt settlement of the Claims of Masters of Vessels who rescue Shipwrecked Passengers - - - - -	4
		Remarks relative to the Emigrants sent out from the Irish Poor Law Unions; conduct and prospects of Female Emigrants from Ireland; great importance of care in the selection of these Persons by the Poor Law Authorities; system adopted for their disposal on Arrival - -	4
		Foreign Immigrants: Remarks relative to the Incapable Emigrants for- warded from the German States - - - - -	5
		Inconvenience of Arrivals after the 1st October; suggested Tax on Emigrants in Ships clearing after the 1st August - - - - -	6
		List of Proceedings for violation of the Passengers' Act - - -	6
		Suggestions relative to Passage Arrangements, viz.:	
		Issue of Provisions in an Uncooked state; supply of Medical Comforts; Certificates of satisfactory performance of Surgeon's duty; bonded Emigrants; Lunatics, &c. - - - - -	7
		Expenditure of the Emigration Department; including Quarantine - -	9
		Observations on the management of the Quarantine Establishment - -	9
		Measures and Expenditure for forwarding Distressed Emigrants; sugges- tions for restricting the Number of Emigrants on board Vessels plying in the Rivers and Canals; amount of Emigrant Tax realized during past Season - - - - -	11
		Increased Advantages of Emigration by the St. Lawrence route; Rates of Passages, Distances, &c., to the chief points in Western Canada and the United States; Emigrant Remittances; Emigrant Letters, &c. -	11
		Review of the past Year's Emigration; demand for Labour; prospects for 1855, &c.; operations of the Canadian Navigation Company - -	12
		Report of Agent for Upper Canada - - - - -	14

Number in Series.	Date and Number.	S U B J E C T.	Page.
1	1855: 13 February - (14)	ANNUAL REPORT OF THE CHIEF AGENT— <i>continued</i> . Tabular Returns, &c., accompanying the above Report : 1. Of Emigrants Embarked, Births and Deaths on the Voyage, Numbers Landed, Number of Vessels, Tonnage, and Seamen employed, and average Length of Passage, &c. - - - - - 2. Abstract Statement, &c., distinguishing Countries and Ports whence the Emigrants sailed - - - - - 3. Return of Hospital Admission, Deaths, &c. - - - - - 4. Return of Trades and Callings of Emigrants arrived - - - - - 5. Comparative Statement of Emigrants arrived since 1829 - - - - - 6. Return of Persons assisted to Emigrate, and who received Landing Money, &c. - - - - - 7. Table of Routes, Distances, Rates of Passage, &c. - - - - - 8. Extracts from Notes appended to the Chief Agent's Periodical Reports of Arrivals for 1853 - - - - -	15 16 17 18 18 19 20 24
2	10 May - (45)	ANNUAL REPORT OF CHIEF AGENT FOR EMIGRATION, 1854: Mr. Buchanan's Explanation of certain Remarks of the Colonial Land and Emigration Commissioners thereon - - - - -	29

DESPATCHES FROM THE SECRETARY OF STATE.

1	1854: 8 June - (90)	THE DUKE OF NEWCASTLE. IMMIGRATION EXPENDITURE. Settlement of Outstanding Claims of the Provincial against the Imperial Government - - - - -	31
2	1855: 8 April - (15)	THE RIGHT HON. SIR GEORGE GREY, BART. ANNUAL REPORT OF CHIEF AGENT FOR EMIGRATION, 1854: Report of the Colonial Land and Emigration Commissioners thereon, dated 30th March 1855 - - - - - Containing Observations on the subject of Emigration from the German States - - - - - Reimbursement of Expenses incurred for Rescue of Shipwrecked Passengers - - - - - Issue of Provisions on board Ship in an Uncooked state, and Supply of Medical Comforts - - - - - Issue of Certificates of Good Conduct of Surgeons of Emigrant Vessels	31 32 33 32 32
3	11 June - (29)	THE RIGHT HON. LORD JOHN RUSSELL. In continuation of the foregoing Subject; states Mr. Buchanan's Explanations are satisfactory. Some of the Suggestions will be carried into effect in the Passengers' Bill now before Parliament - - - - -	33

NEW BRUNSWICK.

DESPATCHES FROM LIEUTENANT GOVERNOR SIR E. HEAD, BART.

1	1854: 6 May - (18)	ARRIVALS OF EMIGRANT SHIPS. Immigration Agent's Report relative to the "Blanche," "Middleton," "Liberia," "Lampero," and "John Barbour" - - - - - Great Sickness and Mortality on board the "Blanche;" outbreak of Cholera - - - - -	35 35
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Number in Series.	Date and Number.	S U B J E C T.	Page.
2	1854 : 30 May - (21)	Further Report of Arrivals. Ready Engagement of the Emigrants on arrival	38
3	15 June - (27)	Further Report of Arrivals per "Imperial." Good arrangements on the Voyage, and healthy state of the Immigrants - - - - -	39
4	30 June - (30)	Further Report of Arrivals per "Liberia," with Emigrants in a healthy state -	39
5	2 July - (32)	Quarterly Report of Emigration Agent, ending 30 June. Satisfactory manner in which Emigrants arrive by the Liverpool Packets - - - - -	40
6	8 July - (2)	Further Report of Arrivals per "Jessie" - - - - -	41
7	12 August - (7)	Further Report of Arrivals per "Eudocia," "Middleton," and "Mimer" -	42
8	22 August - (9)	Further Report of Arrivals per "David G. Fleming" - - - - -	43
THE HON. J. H. T. MANNERS SUTTON.			
9	10 October - (18)	Arrival of Emigrants per "Mary Ann." Certain Liverpool Shipowners decline such a number of Passengers as will subject the Vessels to the Provisions of the Passengers' Act - - - - -	43
10	- - - -	ANNUAL REPORT OF THE CHIEF EMIGRANT AGENT. New Brunswick - - - - -	44

COPIES or EXTRACTS of DESPATCHES relative to EMIGRATION to the
NORTH AMERICAN COLONIES (in continuation of Papers presented
April 1854).

C A N A D A.

Despatches from Governor Head.

— No. 1. —

CANADA.

(No. 14.)

COPY of a DESPATCH from Governor-General Sir *E. Head*, Bart., to the
Right Honourable Sir *George Grey*, Bart.

Government House, Quebec,
13 February 1855.

(Answered, No. 15, 8 April 1855, page 31.)

Sir,

I HAVE the honour to enclose copies of the Report and Appendix made by
Mr. Buchanan, Emigration Agent at Quebec. I am desirous of calling par-
ticular attention to that portion of Mr. Buchanan's Report which relates to
the conduct and prospects of the female emigrants from Ireland, and the
great importance of care in the selection of these persons by the Poor law
authorities.

Very serious questions are suggested also by the remarks of the emigration
agent on the character of the passengers from the German States.

It will be my business to bring these and other matters under the considera-
tion of my Executive Council with as little delay as possible.

The advantages and the economy described in the Report as characterising
the route to the Far West by way of the St. Lawrence, form a most important
element in the future prospects of Canadian commerce.

With regard to the concluding paragraph of Mr. Buchanan's Report, it is
right for me to say that the precise relation between the Steam Navigation
Company and the Canadian Government is, at the present moment, the subject
of consideration by me and my Council upon a Report from the Board of Works,
and must form a matter of discussion by the Legislature on their meeting after
adjournment.

I have, &c.
(signed) *Edmund Head*.

Enclosure.

EMIGRATION REPORT, 1854.

Office of Her Majesty's Chief Agent
for the Superintendence of Emigration to Canada,
Quebec, 30 December 1854.

May it please your Excellency,
I HAVE the honour herewith to submit to your Excellency, for the information of Her
Majesty's Government, my annual report of the emigration into this colony during the
season of 1854, accompanied by the usual statistical tables.

No. 1.
Governor-General
Sir E. Head, Bart.,
to Sir G. Grey,
Bart., 13 February
1855.

CANADA.

Table No. 1, in the Appendix, furnishes a synopsis of the season's emigration, from which it will appear that the total number landed at this port was 53,183; viz., 52,365 steerage, and 818 cabin passengers. The number that left Europe was 51,965 steerage, and 811 cabin. There were born on the passage, 83; the deaths at sea were 487, and in quarantine 46, leaving the number of emigrants landed in this province from the United Kingdom and the continent of Europe 52,326, to which must be added 857 persons from the Lower Provinces, making the total number of souls landed at this port, 53,183. This number, when compared with the emigration of 1853, shows an increase of 16,484, or equal to near 45 per cent. This is the largest emigration into Canada in any one year, with the exception of 1847. The following is a comparative statement of the emigration of the last two years:—

NUMBER FROM						1853.	1854.
England	-	-	-	-	-	9,585	18,175
Ireland	-	-	-	-	-	14,417	16,168
Scotland	-	-	-	-	-	4,745	6,446
Germany	-	-	-	-	-	2,400	5,688
Norway	-	-	-	-	-	5,056	5,849
New Brunswick	-	-	-	-	-	496	857
						36,699	53,183

This statement shows a large increase on the number of arrivals from each country. From England the number is nearly doubled, being equal to 90 per cent. From Ireland the increase has been $12\frac{1}{2}$ per cent.; from Scotland, equal to nearly 36 per cent.; from Germany, over 137 per cent.; Norway, $15\frac{1}{2}$ per cent., and from the Lower Provinces, 73 per cent.

Of the emigration under the head of England, 13,471, nearly three-fourths, sailed from the port of Liverpool; a large number were foreigners and Irish. On examining the lists of the several ships, it will appear that the number embarked were natives of—

	CABIN.	STEERAGE.	TOTAL.
England	238	2,501	2,739
Ireland	69	4,194	4,263
Scotland	57	670	727
Germany	19	4,594	4,613
Norway	-	199	199
Holland	-	231	231
Sweden	7	634	641
United States and Canada	58	-	58
	448	13,023	13,471

It also appears that 295 Germans sailed from Hull, and 255 from Dublin, and 108 were brought to this port by a London ship, taken from the wreck of the "Cachalet" from Havre, for New York, abandoned at sea.

The emigration from Europe during the past two seasons will appear as follows:—

NATIVES OF						1853.	1854.
England	-	-	-	-	-	3,928	7,353
Ireland	-	-	-	-	-	18,972	20,269
Scotland	-	-	-	-	-	4,913	7,186
Germany	-	-	-	-	-	3,135	11,034
Norway	-	-	-	-	-	5,123	5,811
Sweden	-	-	-	-	-	96	910
Holland	-	-	-	-	-	32	231
Switzerland	-	-	-	-	-	-	7
United States	-	-	-	-	-	-	25
Canada	-	-	-	-	-	4	33
						36,203	52,859

From this statement it will appear that the foreign emigrants, during the past season, by this route number 18,018, against 8,389 in 1853. The number from England and Scotland also shows an increase of 5,698; but from Ireland, this season's emigration only exceeds that of last year by 1,297 persons. On a further reference to this return, it will appear that the number of vessels engaged in the passenger trade from Europe was 386, measuring 204,058 tons, and navigated by 7,474 seamen. Of this number 235 vessels came under the regulation of the Passenger Act, and 151 vessels were exempt. The number from each country was as follows:—

	Vessels under the Act.		Vessels not under the Act.	
	No.	Passengers.	No.	Passengers.
England - - -	57	16,886	89	1,572
Ireland - - -	81	15,878	16	366
Scotland - - -	37	5,779	5	673
Foreign Ports - -	60	11,615	1	7
	235	50,158	151	2,681

Of the whole number of ships, 10 brought exclusively cabin passengers: 46 sailing vessels made two voyages, and the four steamers of the Canadian Mail Line made nine voyages during the season, and brought out 1,786 steerage and 429 cabin passengers from Liverpool.

The number of adults on board the whole 386 vessels were 43,476, while the vessels could have legally carried, according to their tonnage measurement, 94,555, exclusive of their crews. The average length of the passage from the United Kingdom was 47 days, and from Continental Ports 58 days. The average passage of the steamers from Liverpool was 16 days. On further reference to this table it will appear that the excess of female adults over males from Ireland has been very considerable, equal to 2,209 adults, being double that of last season; and I find, on referring back to the returns of 1851, the first season in which any excess was perceived, that the number each season has been gradually increasing, and now shows an excess during these four years of 5,270 more female than male adults.

A return of the ships and passengers arrived from each port and country, with the deaths on the passage and in quarantine, will be found at Table No. 2 in the Appendix.

The whole number of deaths among 18,488 persons from England was 313, equal to 1.69 per cent., of which number 270 occurred among the emigration from Liverpool, being equal to 2 per cent. on the number from that port. The deaths from all the other English ports were 43, or equal to 0.86 per cent.

From Ireland the deaths among 16,261 persons were 93, or equal to 0.57 per cent. Among 6,459 from Scotland, 13, equal to 0.20; and among 5,763 from Germany, 75, equal to 1.30; from Norway, among 5,888, 39, equal to 0.66 per cent. It may be observed, that, as in former seasons, the largest mortality was from the port of Liverpool; but which this season appears to have been confined chiefly to the foreign emigrants, as among 4,639 Germans who sailed from that port, 136 died on the passage, being equal to 2.93 per cent.

Table No. 3 presents a general hospital return showing the number of emigrant patients admitted for medical relief, with the results at the quarantine establishment up to its close at the Marine and Emigrant Hospital in this city during the year, and at the general hospital in Montreal, from which it appears that the total number of cases treated at these several institutions was 1,647, and the deaths 224.

This return, when compared with that of 1853, shows an increase of 707 on the admissions and 129 on the deaths.

The large increase in the mortality is to be attributed to the cholera, as I find the admission of emigrants from this disease at the Marine and Emigrant Hospital was 198; of which 92 died. The deaths from cholera at the Montreal General Hospital were 48, and at Grosse Isle 8; total 148; so that if the deaths from this disease are deducted, the health of the season's emigration will bear an equally favourable comparison with that of any former year.

Table No. 4 contains a return of the adult male emigration, distinguishing the trades, &c., as specified on the passenger lists.

The total number of males embarked was 19,548; of these there appear to have been 3,195 artisans or tradesmen, which is an increase of 1,637 persons of this class over that of last year; farmers and farm servants 5,632, servants 117, clerks 156, and unskilled labourers 10,448.

Table No. 5 shows a comparative statement of the number of emigrants landed at Quebec since

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since the year 1829 inclusive, amounting, in the aggregate, to 825,187 souls; affording an average of 31,738 per annum for 26 years past.

I have to report the loss of three vessels with emigrants bound to this port during the past season, but which was happily unattended with any loss of life.

The first was the "Helen Thompson," from Troon, with 145 passengers, lost in the ice on the 18th May; 15 of the passengers reached this port in the brig "Dykes," and 130 were taken on board the brig "Sarah" and landed at Richibucto, N. B.

The second, the "Anne Kenny," from Liverpool, with 13 passengers, wrecked on Anticosti on the 17th June, passengers all saved, and reached this port by the steamer "Doris."

The third was the barque "Tottenham," from Cork, with 101 passengers, lost near Port Nova, Cape Breton, on the 20th October, passengers and luggage all saved. They were forwarded by the master by a schooner to Halifax, and from thence proceeded to Boston, their destination being chiefly to the United States. A large number of shipwrecked emigrants have been brought to this port taken from ships bound to Boston or New York.

The following is a return of the number of those received during the past season, viz.:

Vessels arrived at Quebec.	Vessels from whence the Emigrants were received, from whence, and where bound.			No. of Passengers.
	Name.	Whence.	Destination.	
Paragon - -	Winchester -	Liverpool - -	Boston - -	29
Mary Caroline -	- - -	- - -	- - -	130
Ann - - -	- - -	- - -	- - -	15
Transit - - -	- - -	- - -	- - -	19
Robert Burns -	- - -	- - -	- - -	41
Good Intent - -	Black Hawk -	- - -	New York -	70
Leonard Dobbin -	Cachelot - -	Havre - - -	- - -	108
Dykes - - -	Helen Thompson	Troon - - -	Quebec - -	15
Wilkinson - - -	- - -	- - -	- - -	14
TOTAL - - -				441

The passengers from the "Winchester" were, on arrival here, taken in charge by the agents of Messrs. Train & Co. and conveyed to Boston. Those by the "Cachelot" were forwarded by this department to New York, the cost of which was repaid by the agents of that ship, Messrs. Lane, West & Co. Those by the "Black Hawk" were also forwarded, but no part of this expense has been recovered. The claims of the ships which rescued these people are still unsettled, amounting in some of the cases to a large sum: those by the "Mary Caroline" had been over 30 days on board of that vessel, and the master not only expended his ship's stores, but he had to purchase from several vessels he spoke at sea. The delay and difficulty which masters of vessels experience in obtaining a reimbursement of the expenditure incurred by them in their humane act of saving the lives of their fellow-creatures has subjected them to much inconvenience, and even to personal loss; and it is greatly to be regretted that, instead of stimulating them to increased exertions in the performance of acts which are not unfrequently attended with very great peril to life, as well as serious loss, by an immediate and liberal acknowledgment of their just claims, that great unwillingness on the part of those interested in their payment should become the subject of complaint by the masters; and it is needless to observe that the true policy in such cases is to encourage instead of throwing impediments in the way of efforts specially made in the spirit of humanity. A remedy for this might be found by granting authority to the collectors of this port to settle these claims at a fixed scale, as allowed by the Lords Commissioners of the Admiralty in the case of shipwrecked seamen, and remit the accounts to England for liquidation in the manner prescribed and provided for under the 50th clause of the Passenger Act.

But one vessel failed to reach her destination during the past season. The "Industry," from Sligo, with 99 passengers, returned to that port after having reached 32° longitude, with a slight leak; it being too late to refit and reach this port during the present season, the passengers have returned to their homes.

Table No. 6 furnishes a return of the number of persons sent out during the season by the Irish Poor Law Unions, or who have received assistance from parish or other funds.

From this return it will appear that 3,407 persons received landing money on arrival here, amounting to 3,271 *l.* 17 *s.* sterling, 2,848 *l.* of which was paid through this department, and the balance, 423 *l.* 17 *s.* was paid by agents in this city.

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The number from England was but 28; 14 of whom received 8/10 s. landing money, and 14 appear only to have received a free passage to this port.

The number aided in their emigration from Ireland was 2,963, viz., 61 male, 2,591 female adults, and 311 children, being an increase of 1,559 of the same class of persons sent out in 1853. They were from 58 different unions, chiefly from the south and west of Ireland.

This class of our emigration continues to give great satisfaction, and notwithstanding the large number who have been sent out during the past season, complaints of misconduct have only reached me against two, the South Dublin, and Cork Unions, and, I regret to say, that the conduct of a portion of the females from the Dublin Union has been anything but good: 26 of the females from this union have been committed to the Montreal Gaol, as loose, idle and disorderly, and from a report received, 12 of them have been committed twice, and one for the third time.

These girls were all offered to be forwarded into the country settlements, where they would have at once obtained employment among the farmers, but they refused to leave the city, preferring a life of idleness and vice to that of honest industry.

I regret to have to report so unfavourably of even so small a proportion of these females, as, in the great majority of the cases their conduct has given much satisfaction, and their services are eagerly sought for. At the Appendix will be seen an extract from a letter received from the mayor of Port Hope, reporting the arrival and disposal of a party of these young women; this is one of many similar ones, received during the past season, by this department, and it shows the manner in which these female emigrants have been provided for; and, if ordinary care is taken in their selection, and they are sent in the early part of the season, no difficulty exists in disposing of them in a satisfactory manner; but on reference to this return it will appear that over 500 of their number arrived here after the 15th September, 276 of whom were landed after the 26th October, a period of the year much too late to permit their being provided for, in a satisfactory manner, before the approach of winter.

I would desire to impress upon the Poor Law Commissioners and guardians of the unions the importance of strict attention being paid to the selection of the females they may propose to send out, in future, both as regards their health and moral character, as if due attention is paid to these qualities, and they are despatched at any period not later than the month of July, this province will provide for all they may be disposed to send.

The system adopted as to the disposal of their young females is as follows:

On arrival, they were paid their landing money in full; those that have friends, or any particular destination in view, are furnished with the route, and sent forward. In the early part of the season considerable numbers at once find employment on arrival in this city and Montreal, under the superintendence, and with the sanction, of this department; as, unless they were taken by respectable parties, and with a prospect of permanent employ, they were recommended, in preference, to proceed to the country settlements. Of the whole number arrived this season, between 200 and 300 proceeded direct to their relations in the United States, chiefly to Boston and New York; those for the United States were required to contribute from 15 s. to 20 s. currency towards their passage, which was generally sufficient to meet that expense; those who proceeded under the direction of this office to Western Canada, were required to pay 7 s. 6 d. each, the balance of their passage-money being made chargeable on the Emigrant Fund; this was done in order to induce them to proceed into the country settlements, where their services are required, retaining the balance of their money to provide provisions for the journey, and to meet their more immediate necessities until they obtained employment.

This was found to answer well, as, previous arrangements having been made for their reception at different points along the route, they generally found themselves provided for within a very short time of their arrival.

Of the foreign emigrants, 422 paupers were sent out by this route during the past season from Baden, viz., 124 men, 90 women, and 208 children; the number from the same quarter in 1853 were but 30 souls. It appears that these parties were sent out at the joint expense of the municipalities and Grand Duchy of Baden; they were provided with a passage to this port, and received 10 guilders each adult on landing. These people, on landing here at so late a period of the season as October, and presenting an appearance of such squalor and destitution, scantily clothed, ignorant of our language, without any particular destination in view, and possessed of but the small sum paid to each on landing here, which at most would be barely sufficient for a week's support, cannot but give rise to the most serious reflection, and would appear to call for legislative enactment to protect the province from the expense of supporting a foreign pauper emigration. Had they been sent out here in the early part of the season, when a good demand existed for labour, and with the summer before them, the province might not object to receive them, and assume the responsibility of their support, but to permit a foreign state to relieve itself of paupers already physically ill adapted to labour, and thrown on a country requiring the aid of a robust and energetic emigration, and not of sick feeble men, helpless women and children, such as alluded to above, and that, too, at the near approach of a rigorous and inclement winter, would, independent of its cruelty, not only involve the province in the serious responsibility of providing for their maintenance and support, but evidence a tacit admission of right to inundate it with the refuse of foreign pauperism.

In consequence of the stringent regulations enforced in the United States ports, with the heavy capitation tax, and coupled with the fact, that the rates of passage by the St. Lawrence

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are very much lower, parties interested in the removal of their poor have been induced to send them by this route; and I have been indirectly informed that there is a prospect of a large increase in this class of our foreign emigrants during the ensuing season. If the people are healthy and disposed to work, and arrive here in the early part of the season, I do not consider that any serious difficulty need be apprehended of the province being able to provide for them satisfactorily; but the case is very different, and open to the most serious objections, when the same parties arrive here in the month of October. I find that during the past few years the emigrants arriving here after the 1st October, have been gradually on the increase, as will be seen from the following statement:—

		MEN.	WOMEN.	CHILDREN.	TOTAL.
1852	- - -	342	447	483	1,272
1853	- - -	541	469	589	1,599
1854	- - -	1,853	1,915	1,969	5,737

And as these parties are generally of the poorest class of our emigrants and most likely to become chargeable on the public, I would suggest, that the tax on all emigrants on board any ship which may have cleared from any port in the United Kingdom, or from the continent of Europe, after the 1st August, should be 10s. each, being the rate now charged on emigrants to New York or Boston. The object in suggesting an increase to this tax is, certainly not with the view to placing any restriction on the emigration by this route, but solely to induce emigrants to come out in the early part of the season; by increasing the tax, it will also be the means of providing a fund to meet the expenses which the province would necessarily become subjected to on their account, when arriving in the fall of the year, now rendered the more necessary, as the grant of 1,500 *l.* sterling, from the Imperial Government towards the expense of emigration agency, will be discontinued after the present year. Legal proceedings were instituted in four cases for violation of the Passenger Act during the past season, viz.:

Captain Wallace, of the brig "Hannah," from Arbroath, for issuing impure and unwholesome water, was fined 20*l.* sterling, with costs.

Captain Hughes, of the "John Davis," from Liverpool, was fined 5*l.* sterling, on a complaint of some of his passengers of the illegal issue of their provisions.

Captain Ray, of the "Hotspur," from Liverpool, was also fined 5*l.* sterling with costs, for the same offence.

Also against Captain Owen, of the barque "Vixen," from Liverpool, for a breach of the 9th and 13th clauses of the Passenger Act. Proceedings were instituted in this case, under instructions from the Emigration Commissioner, on the report received from the emigration officer in Liverpool; the master having confessed judgment, the magistrates fined him in a penalty of 5*l.* sterling, with costs.

Complaints were also preferred against the master of the "Crown" by a few of his passengers; the case was, however, compromised by the master paying to the complainants 50 dollars.

These were the only complaints instituted during the past season, and only one of them, the case against the master of the "Hannah" could be considered of a serious nature: in all the others, the evidence was so exceedingly conflicting, as to induce the magistrates to mark their sense of the complaints by imposing the lowest penalty provided by the Act.

When we take into consideration the great number of emigrants of all ages and conditions who crossed the ocean during the past season, and who were subject to all the inconveniences of a crowded 'tween-decks, it is surprising that so few complaints of infringement of the Passenger Act were made; of the few complaints brought before the judicial tribunals, the majority were against vessels sailing from Liverpool; and this may be explained by the fact, that the passengers embarking at this port are collected from all parts of the United Kingdom and the continent of Europe; while on board of vessels from other ports, with the exception of the case of the "Hannah" before referred to, not a single complaint was brought under my notice.

I may here be permitted to observe, that with the shipmasters, who are regularly employed in the passenger trade, I very seldom find any well-founded complaints; they appear to be confined almost exclusively to transient vessels occasionally taken up for a single trip, or where the master only joined the ship frequently, but a few days previous to sailing, and probably then put in charge of an emigrant ship for the first time.

When all these matters are considered, it may be found surprising that complaints are so few, the absence of which may, in a great measure, be attributed to the care and attention with which the emigration officers in the United Kingdom discharge their important and arduous duties; and as it appears that the Committee of the House of Commons appointed to revise the Passenger Act, which sat last year, intend to resume their proceedings on the meeting of Parliament, I avail myself of this opportunity to offer a few suggestions for their consideration.

From close inquiry and observation during the past season, I find that the most objectionable

able feature in the working of the present Act, is "the system of issuing the provisions in an uncooked state."

On board the large vessels, and particularly those from Liverpool, where the emigrants are generally strangers to each other, the use of the cooking places becomes a fertile source of quarrels, even bloodshed; the strong oppress the weak and timid. And I am assured, that it is no uncommon occurrence for timid females, and helpless young passengers, to be deprived of the facility of cooking their food during the entire day, while the fires have been monopolised by their stronger fellow passengers. It is also well established by the statement of several respectable emigrants made to me, that for days they preferred to subsist entirely on dry biscuit, rather than contend and fight for their turn at the fire. To obviate this great evil, I would desire to see the same regulations enforced in the emigrant ships to North America, as in those to Australia and all the masters and surgeons whom I have consulted on the subject are of opinion that the introduction of these regulations in the emigrant ships to North America would add materially to the comfort and health of the emigrants, and thereby remove the great source of difficulty and complaint which at present exists.

There is also under the present arrangement no adequate provision enacted for supplying medical comforts and nutritious food for females, or preserved milk for young children, during the passage. This omission in the details of the Act is one to which, from its importance, I would most anxiously call the attention of the Government; as to the want of proper comforts and nutritious food, may in a great measure be attributed the mortality which occurred among children, as well as sick and weakly females. It is established by the medical gentleman in attendance upon the hospital at Grosse Isle, that in his repeated inquiries from mothers touching the great mortality of children on board several emigrant vessels, they have acknowledged to him the painful fact, that while the children and young females were sick and greatly debilitated during long passages, the only sustenance they were enabled to provide for them was the crude oatmeal, mixed up with cold water: aged and weak persons were also often obliged to confine themselves to this mode of living, and it is therefore not surprising that bowel complaints of the worst and most severe character were of such frequent and fatal occurrence among this class of passengers.

I would also desire to see adopted, as a general rule, that the surgeons should be required to obtain from the medical superintendent at Grosse Isle a certificate that he has discharged his professional duties satisfactorily, and, unless a certificate to this effect be produced, a portion of his pay should be withheld, and he should be rendered incompetent to proceed again in charge of an emigrant vessel. These restrictions might appear objectionable, on the grounds of their tendency to enhance the cost of passage, if not also throw obstacles in the way of such of the poorer classes as may be disposed and able to emigrate. I do not however anticipate that the increased rate of passage would operate materially or prejudicially against the usual incitements to emigration.

Apart, however, from every consideration as well as tendency of the restrictions here suggested, it must be assumed that the paramount duty of all Governments is the providing, by legislative enactments, for the well-being and protection of life of their subjects, and happily forming, as this province does, an integral portion of a great empire. I have every reason to hope that the amendments which are about being introduced into the Act will secure the ends contemplated. Thirteen emigrants were bonded during the past season, under the 12th section of the Provincial Passenger Act, 16 Vict. c. 86, by the following vessels:

						£.	s.	d.
"Albatross"	-	-	-	New Ross	-	2	150	-
"Delta"	-	-	-	Ditto	-	1	75	-
"Tottenham"	-	-	-	Cork	-	1	75	-
"Onwards"	-	-	-	Liverpool	-	1	75	-
"Columbus"	-	-	-	Dublin	-	2	150	-
"Georgiana"	-	-	-	Limerick	-	1	75	-
"Oregon"	-	-	-	Liverpool	-	3	225	-
"Canada"	-	-	-	Cork	-	2	150	-

The parties by the "Tottenham," "Columbus," and "Georgiana" were sent out from the poor-law unions; they had lost their sight from an attack of ophthalmia, and were taken back by the masters, in order to relieve themselves from the responsibility of the bond; the two by the "Canada" would also have been taken back, but their state of health, and the late period of the season, would not permit it; they are now under treatment in the Marine Hospital.

Two females have been sent to the Beauport Asylum as lunatics: Mary Kelly, who arrived here 21st June, from the Rathdrum Union, by the ship "New Brunswick," from Dublin, and Ellen Ryan on the 25th July, from the Limerick Union, by the ship "Theron," from Limerick. They arrived apparently in good health, and proceeded as far as Montreal, where they obtained employment, but were unable to retain their situations, and were sent back to this city, and after being under medical treatment in the emigrant hospital, an order was issued for their admission to the asylum.

The expenditure of the Emigration Department, including the quarantine establishment,

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and the charges connected with the care of the sick, amounts to 16,915 *l.* 6 *s.* Of this sum there was disbursed for the expenses of the quarantine station 6,649 *l.* 13 *s.* 4 *d.*, as follows :

	£.	s.	d.	£.	s.	d.
Pay of Quarantine Establishment - - - -	1,802	16	3			
Supplies to hospital - - - - -	420	12	10			
Washing - - - - -	58	15	6			
Cartage - - - - -	107	7	6			
Firewood - - - - -	122	2	3			
Stoves and pipes for use of hospital - - -	14	16	8			
Carriage for conveyance of sick - - - -	50	-	-			
Coffins - - - - -	50	-	-			
Provisions to healthy division - - - - -	145	3	11			
Steamboat service - - - - -	1,580	-	-			
Telegraph - - - - -	50	-	-			
Stationery, printing, advertisements, and sundries -	39	14	4			
Amount expended under the authority of Board of Works for repairs, &c. - - - - -	1,547	18	3			
Ditto - ditto steamboat service for conveyance of emigrants from the healthy division, G. I., to Quebec - - - - -	575	-	-			
Ditto - ditto, pay of keeper of emigrant sheds at Montreal - - - - -	41	15	-			
Allowance to Protestant and Roman-catholic missionaries - - - - -	43	10	10			
				6,649	13	4
Total Expenditure of Quarantine Establishment - - - £.				6,649	13	4
Salary of Inspecting Physician for the port of Quebec during the season of navigation - - - -	336	-	7			
Amount of expenditure incurred for the medical care and treatment of emigrants in the Marine and Emigrant Hospital during the year ending 31st December - - - - -	523	1	3			
Disbursed for emigrant purposes, through the agents of this department, as follows: For the direct relief and assistance of emigrants - - - -	7,726	4	2			
For agencies - - - - -	1,680	6	8			
				10,265	12	8
	£.			16,915	6	-

The Expenditure of this Department has been as follows:—

		£.	s.	d.	£.	s.	d.
Quebec Agency -	Transport - - - - -	4,118	2	-			
	Provisions - - - - -	100	4	10			
	Other relief - - - - -	420	7	11			
	Agencies - - - - -	443	1	-			
					5,081	15	9
Montreal Agency -	Transport - - - - -	2,523	2	2			
	Provisions - - - - -	138	1	4			
	Other relief - - - - -	64	17	10			
	Agencies - - - - -	316	11	9			
					3,042	13	1
Toronto Agency -	Transport - - - - -	279	11	9			
	Provisions - - - - -	81	16	4			
	Agencies - - - - -	714	4	6			
Hamilton Agency -	Ditto - - - - -	102	2	1			
Berlin Agency -	Ditto - - - - -	104	7	4			
					1,282	2	-
					£.		
					9,406	10	10

The expenditure of the past season, when compared with that of 1853, shows an increase of 7,364 *l.* 2 *s.* 2 *d.*, constituted under the following heads:—

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	1853.			1854.		
	£.	s.	d.	£.	s.	d.
Quarantine Establishment - - - - -	2,490	-	7	4,441	9	3
Repairs, &c. - - - - -	368	2	11	2,208	4	1
Medical Inspector and Marine and Emigrant Hospital, Quebec - - - - -	896	2	7	859	1	10
Emigration in direct relief of emigrants - - -	4,328	-	9	7,726	4	2
Agencies, &c. - - - - -	1,468	17	-	1,680	6	8
£.	9,551	3	10	16,915	6	-

The expenditure at the Quarantine Establishment shows an increase, when compared with that of 1853, of 3,791 *l.* 9 *s.* 10 *d.*, constituted as follows:—

	£.	s.	d.
On pay of servants of the establishment - - - - -	512	4	6
On the supplies of the hospital and other expenses directly connected with the care of the sick - - - - -	382	13	5
Steamboat service - - - - -	992	10	-
Ditto for conveyance of emigrants from healthy division to Quebec during the prevalence of cholera - - - - -	575	-	-
Repairs to hospital buildings - - - - -	1,223	6	2
Sundry items, extra - - - - -	105	15	9
£.	3,791	9	10

The great increase in the quarantine expenditure has been for the steamboat hire.

The contract in 1853 was for 20 *l.* per weekly trip; this last season it was taken at 37 *l.* 10 *s.* per trip, occupying one day, but subsequently increased to 56 *l.* 5 *s.* in consequence of the time being extended to two days.

The excess under this head alone amounted to 992 *l.* 10 *s.*, in addition to which there was a charge of 575 *l.* for extra services for the conveyance of emigrants from the healthy division during the prevalence of cholera, as recommended by the Central Board of Health. An increase of 25 per cent. was also granted to all the under-employés, from the hospital steward downwards; these additions, with the prolonged period to which the establishment has been kept open, will fully account for the excess of expenditure.

For further information respecting the internal management of this establishment, I would respectfully refer to the report of the medical superintendent, which has already been submitted to your Excellency.

I may be here permitted to offer a few observations with reference to this important establishment. It will, however, be unnecessary, as not falling within my peculiar province, to enter at length into any disquisition on the subject of quarantine, as a preventive to the spread of disease. I would only desire to submit my views as to the necessity of ameliorating the establishment, and thereby rendering it, as intended by Legislative policy, strictly subservient to great and important ends, as well as more consonant to the dictates of humanity and public economy than heretofore.

In conformity with these views, I would earnestly recommend that, independent of the necessity of an establishment for sick emigrants, another of still greater importance and absolute necessity should be provided for the proper accommodation of the healthy, where they might have the privilege of remaining a short period after their arrival from a long sea voyage, enjoy the salutary benefits of washing and purifying their clothes and baggage, recruiting their wonted vigour, and making all necessary inquiries touching their future pursuits.

It would therefore be very desirable that this lavatory establishment should be so situated that all emigrant vessels may be enabled to discharge their passengers where they could be thoroughly inspected, and all those labouring under disease, or debility consequent thereon, removed to hospital; the healthy classified, who should have the privilege of remaining 48 hours at the station for the purposes before mentioned.

The emigrant dépôt and lavatory would require to be so situated as to afford safe and commodious anchorage for the shipping, and in such proximity to Quebec as to permit the

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steamers plying between this city and the west to call daily and take off all such passengers as are allowed and prepared to leave.

By the adoption of an amendment of this character, I am impressed with the conviction that the most valuable results may be expected, both as regards the interests of society on the one hand, and the claims of humanity on the other. Among its numerous benefits, I may remark, that many of the difficulties and inconveniences under which the emigrants have long laboured, and which at all times have proved the fruitful causes of clamour and complaint, would be removed; the accumulation of emigrants on our wharves, and in the overcrowded, filthy, and ill-ventilated abodes of this populous city and Montreal be avoided; the ignorant and helpless, so often thrown in the way of the tempting allurements of the most depraved classes of society, would be protected from imposition and vice. By this change I am also persuaded that a vast amount of other evils, and which at present exist, and exercise the most important influence on this class, would not only disappear, but a very considerable saving in the public expenditure be effected.

This subject has not failed to engage the public attention during the past season; the report of Dr. Nelson, the mayor of Montreal, whose practical acquirements in every branch of sanatory and social economy are entitled to every consideration, has expressed his opinion as to the ineligibility of the present site of the establishment, chiefly owing to its distance from Quebec. In this opinion of Dr. Nelson, I may remark, the local Board of Health of this city concur, and justify me in submitting the propriety of its removal to a locality possessing superior advantages for all the purposes in contemplation. I would respectfully refer these documents to your Excellency's favourable consideration. The principal and most important objection to the present establishment at Grosse Isle is, not only its great and inconvenient distance from this city, and thereby subjecting the province to a serious expense for keeping up even a weekly communication; but it is an established fact, that during the prevalence of epidemic cholera, the past season, emigrants were detained 10 days at the healthy division of the quarantine establishment, without any cases of sickness; yet after re-embarking on board these vessels and proceeding to Quebec, several have fallen sick and had to be sent to the Marine Hospital on arrival.

It is also necessary to remark that the emigrants, in consequence of the vessels being detained at the station, are exposed to another great hardship; their beds, which are generally of straw, are necessarily thrown overboard, for the purpose of cleansing and purifying the ship, and therefore on their re-embarking many have not the means to replace them, and as vessels may be two or three days in reaching this port, the poor people are obliged during that period to lie and sleep on bare damp boards, a discomfort highly prejudicial to health, if not productive of disease.

In this view I would earnestly, but respectfully, press upon the consideration of your Excellency and the Provincial Legislature, the advantages of an early removal of the present Grosse Isle establishment to the upper end of the island of Orleans, a locality possessing within itself all that is desirable for the efficient establishment of an emigrant dépôt, together with ample hospital accommodation and appliances for the sick and healthy emigrant. Having personally visited, and attentively inspected this locality during the course of the past season, I am satisfied that a desirable site could be acquired, which would offer all that is requisite for a most convenient and effective station; its proximity (a matter of the highest importance) is such, that the steamers engaged in our western trade would call there and receive the emigrants daily, without any expense to Government.

The advantages and increased facilities thereby afforded to the shipping interest would be very great, and which can only be fully appreciated by those who may have had their vessels detained for eight or ten days at Grosse Isle. It would also permit the removal of emigrants who might fall sick in this city to a healthy, airy and cheerful locality, where a competent and efficient staff of officers and nurses would be in constant attendance to receive them, and thus prove the means of rendering the Marine and Emigrant Hospital available for the better accommodation of sailors or sick citizens.

To these views it may be urged that the expenses attendant upon removal, and the acquisition of the necessary property, would prove a serious obstacle to their accomplishment; but no pecuniary consideration, in my humble opinion, ought to operate against the amelioration of an establishment involving so many important and such general interests.

In connexion therewith, I would also remark, that the buildings and establishment at Grosse Isle are of a temporary nature, and that many of them would not justify a further expenditure of public monies for repair.

I trust that I may be permitted to observe, that the great importance of the question now brought before your Excellency, and the very deep interest with which it has engaged the public mind during the past season, will, I hope, be admitted a sufficient apology for my anxiety in pressing it.

The central Board of Health in their Report, as well as the medical superintendent of Grosse Isle, have recommended the adoption of regulations restricting the number of emigrants on board of steamers plying on our inland waters. This I consider would be most desirable, at least during the prevalence of any epidemic.

Under all the circumstances of the case, and conceiving, as I do, that there can be no subject of more vital interest to a colony like Canada, possessing so many resources for its future greatness and prosperity, than the promotion by its Government of a vigorous and healthful emigration, I shall not, I trust, be wanting in the recommendation of such measures as may tend to remove every obstacle in the way of securing so desirable an end. In looking forward to the large emigration which may be annually expected by this route,

route, the more particularly now that the navigation of our noble river is thrown open to the active enterprise and commercial intelligence of our energetic neighbours, and as the route of the St. Lawrence becomes more generally known and appreciated by the people of Europe, it is highly desirable that no improvement, arrangement or facility may be wanting to foster and encourage this very important branch of our trade.

The expenditure of this department shows a large increase when compared with that of the year 1853, amounting to 3,609*l.* 13*s.* 1*d.*

The average expenditure on the total emigration landed in the colony for the year 1853 was equal to 3*s.* 1½*d.* on each person, and during the past season of 1854 it amounted to 3*s.* 6½*d.*, being an increase of about 13 per cent. This large increase occurring during a season which opened with unusual prosperity, and with an unprecedented demand for labour, may appear singular, but it will be fully accounted for in the advance which had taken place in the rates of inland transport, varying from 25 to 50 per cent. The appearance of cholera, which visited almost every section of the province, and from which our emigrant population suffered severely, also tended greatly to the increase of the expenditure, the more so as it became a matter of necessity to forward parties who, under ordinary circumstances, would not have been entitled to assistance, in order to prevent any accumulation of emigrants who were supposed by public opinion to carry the germ of disease within themselves. The number of persons assisted at the Quebec agency was equal to 6,700 adults, being an increase over that of 1853 of 2,000, and at an average cost of 12*s.* 3½*d.* against that of 10*s.* 3½*d.* in 1853.

There were forwarded to Montreal	-	-	-	-	-	-	-	-	-	2,824
„ „ Western Canada	-	-	-	-	-	-	-	-	-	2,122
„ „ Buffalo, Chicago, and the Western States	-	-	-	-	-	-	-	-	-	1,063
„ „ The United States, <i>via</i> Lake Champlain	-	-	-	-	-	-	-	-	-	691
										6,700

At Montreal the number assisted was 6,051 persons, equal to 4,306 adults, at an average cost of 11*s.* 8½*d.* against 10*s.* 4½*d.* in 1853.

Of this number there were,

Male adults	-	-	-	-	-	-	-	-	-	-	515
Females	-	-	-	-	-	-	-	-	-	-	2,600
Children	-	-	-	-	-	-	-	-	-	-	2,382
Ditto, under three years	-	-	-	-	-	-	-	-	-	-	554

The large increase of the foreign emigration by the route of the St. Lawrence, has added materially to the expenditure of the past season, and it has been found necessary, both at this and the Montreal-agency, to extend assistance to large numbers of this class, chiefly Germans.

The amount of expenditure in Western Canada shows a small increase on that of last year, amounting to 301*l.* 8*s.* 8*d.*: 206*l.* 9*s.* 5*d.* of this sum has been incurred in the re-establishing of an agency at Hamilton, and the temporary appointment of an agent at Berlin, in the Waterloo District.

From the growing importance of Hamilton, and the great increase of the emigrant traffic which passes through that city, since the opening of the Great Western Railroad, making it now the most direct route to the great West, it may be found desirable to establish a permanent and efficient agency there, for the purpose of affording every necessary protection and advice to the large emigration which will now annually pass by that route. The necessity of an agency at Berlin would not appear to be required during the ensuing season, as from its proximity to Hamilton the duties could be efficiently performed by that office.

The number of emigrant letters addressed to the care of this department during the past season, was 375, 173 of which contained remittances to the amount of 538*l.* 0*s.* 6*d.* The Montreal agency received upwards of 260 letters, with remittances, amounting to near 300*l.* currency. They were all delivered and the amount paid over to the parties in whose favour they were addressed.

It may be observed that many of these money-letters were received in answer to applications transmitted from this office for funds to enable the parties to join their relations. I beg to submit copy of a report from Mr. Hawke, the chief agent for Western Canada, as the result of the past season's emigration to that section of the province, and to which I beg respectfully to refer your Excellency.

CANADA.

The Emigrant Tax realised in the course of the past season was as follows :

At Quebec :							£.	s.	d.
35,413	adults, at 5 s.	-	-	-	-	-	8,853	5	-
13,469	children, at 3 s. 9 d.	-	-	-	-	-	2,523	11	3
100	uncertified, at 7 s. 6 d.	-	-	-	-	-	37	10	-
87	ditto - at 40 s.	-	-	-	-	-	174	-	-
At Montreal :									
560	adults, at 5 s.	-	-	-	-	-	140	-	-
236	children, at 3 s. 9 d.	-	-	-	-	-	44	5	-
Amount of tax received -							£.	11,772	11 3
Imperial appropriation 1,500 l. sterling, at par -								1,825	- -
							£.	13,597	11 3

The number of shipwrecked emigrants that reached this port during the past season was 584 ; they were exempt from the payment of any tax, which otherwise would have realised the sum of 136 l. 5 s. 4 d.

The Emigrant Fund has yielded, as above stated, the sum of 11,772 l. 11 s. 3 d., equal to 4 s. 8 $\frac{1}{2}$ d. on each emigrant liable to duty ; while the expenditure amounted to 16,915 l. 6 s., equal to 6 s. 9 d. per head. The deficiency, 5,142 l. 8 s. 9 d., has been met by the balance remaining over from last year, which is now entirely expended, together with the imperial appropriation of 1,500 l. sterling ; but as this assistance is hereafter to be discontinued, the resources of the department during the ensuing season will be exclusively dependent upon the sum derived from the Emigrant Tax.

In offering to give any approximate view of the distribution as well as disposal of the emigration of the past season, many difficulties must unavoidably present themselves, and the more particularly in the absence of any data from which an accurate return may be compiled ; and I have only to reiterate what I have already had occasion in former years to do, that the changes which are annually taking place with regard to the enlarged and multiplied means of inland transport, render it almost impossible to obtain any reliable account of the transit of our emigrant population.

On referring to my several reports made from time to time, I find the estimate therein made, as to the probable distribution of the emigration of the past season, as follows :

Total emigration landed at Quebec	-	-	-	-	-	53,183
Emigrants of British origin	-	-	-	-	35,132	
„ Foreigners	-	-	-	-	18,051	
Foreign emigration direct to the United States	-	-	-	-	14,000	
British origin	-	-	-	-	8,000	22,000
Remained in Canada	-	-	-	-	-	31,183
In Western Canada	-	-	-	-	27,000	
In Eastern Canada	-	-	-	-	4,000	

In addition to the number who have proceeded to Western Canada by this route, that portion of the province continues to receive considerable numbers by the route of the United States, whom Mr. Hawke estimates at not less than from 6,000 to 7,000 souls ; so that the total accession to our population, from the emigration of the past year, may be estimated at about 38,000 souls.

From a return of the emigration to the port of New York it would appear that 313,747 arrived there during the year 1854, being an increase of over 30,000 on the emigration of 1853. The emigration from the United Kingdom shows a decrease of 32,731 when compared with that of 1853 ; from Ireland a falling off of upwards of 34,000 ; from Scotland 1,600 ; while there appears to have been an increase of over 3,000 on the number from England. But the great increase appears to have been in the German emigration, which shows an excess of over 47,000 on the number in 1853.

The Norwegian emigration to the United States appears to have almost entirely ceased, having fallen off gradually from 3,000 in 1852 to 91 souls, the number landed during the past year. The Norwegian emigration to this continent appears now to be confined almost exclusively to this route, and the numbers have shown a steady annual increase since its commencement in 1850.

The emigration of 1854 has, on the whole, been satisfactory, and but for the appearance of cholera would have been most successful. In the early part of the season and throughout the summer months, the demand for all classes of labourers and mechanics was unprecedented, and the greatest difficulty was experienced throughout the country in securing the necessary

necessary supply. This has, however, experienced a very considerable check within the last two months, and wages of all classes have experienced a fall of from 25 to 50 per cent. This great change has been caused by the unfavourable state of the European market as to the value of our chief staple articles of export, and to the depressed state of the money market throughout the United States, which could not but materially affect all our industrial interests; this depression is, however, chiefly confined to the labouring classes and mechanics engaged about our cities and on the public works. The agricultural class and all those emigrants who possessed sufficient means to enable them to enter upon the occupation of land, have done well. The high price of all agricultural produce for several years past has placed the farmers of Canada in prosperous and independent circumstances. A very considerable increase in Scotch and English farmers and agriculturists possessing capital was observed among the emigrants of the past season which cannot but prove highly desirable and beneficial to the best interests of the country. The emigrants from Aberdeen and Hull, which show a large increase on former years, were chiefly of this class.

There were also a number of respectable and wealthy Germans who have settled in the western section of the province.

A small party of from 50 to 60 Norwegians have acquired some property in the eastern townships, near Sherbrooke, and from the steady and industrious habits of these people, I entertain great hopes of their proving a valuable acquisition to that important section of the province, and moreover be instrumental in attracting to it other parties of their countrymen in succeeding years. This is the first party of Norwegians of any consequence who have established themselves in Canada, and their attraction thereto is attributed to the favourable reports which they have received from two of their countrymen, who settled in that district in 1853. Should they prove successful (and of which I have little doubt) we may look for a further addition to their numbers during the ensuing season.

With reference to the prospects for 1855, he says, "I regret that it is not in my power to present so promising an aspect, nor is the season likely to open so favourably as that of the past year. It is not possible, in the present existing commercial crisis, which has so seriously affected the best interest of the province, that the wages of the past season can be maintained, and emigrants, therefore, must calculate upon a considerable reduction on the past year's rates during the ensuing season. The distress which has so severely pervaded most of the large cities in the American Union, will no doubt, on the commencement of spring operations, induce a large number of their unemployed labourers to seek employment on our public works, and thereby necessarily occupy the field of labour which has hitherto been open to the newly arrived emigrant. I, however, fully anticipate a falling off in our emigration during the ensuing season, for it is evident that the inducement or rather the disposition to emigrate from the United Kingdom is sensibly on the decrease, and if I may judge from present appearances, it is more than probable that that disposition will remain unchanged for some time." The increased demand for labour, with a proportionate advance in wages, and steady employment at home, connected as these advantages are with the return of large numbers of disappointed parties from the United States, cannot, I apprehend, but tend to diminish their numbers in 1855.

On the other hand, the increased advantages offered by the St. Lawrence route, since the opening of the Great Western railway (which renders it now the cheapest and most direct route to the Great West from Europe), are now becoming known. Our unrivalled inland navigation from Quebec to Hamilton, 590 miles, thence by railroad to Chicago, a distance of 465 miles further, places the emigrant at once in the heart of the great Western States; and when it is considered that this journey can be performed in the space of about five days, and at a cost of somewhat less than 2 *l.* sterling, these facts, in addition to the well-known protection afforded, whereby emigrants are exempt from many of the evils to which they have been too notoriously exposed in the United States, cannot but most materially benefit and encourage the emigration from Europe by this route, and which, at no distant day, must become the leading thoroughfare to the Great West; and to these causes, in a great measure, may be attributed the steady annual increase in the amount of our foreign emigration.

At paper No. 7 of the Appendix, will be seen a tariff of the rates of passage, distances, and best routes to the chief points in Western Canada and the United States. This paper is gratuitously distributed in large numbers on board each emigrant ship on arrival in this port, and every means are adopted to place reliable and correct information within the reach of all, and if they will but apply to any of the agents of this department, they will receive every advice and protection against imposition. The Canadian Navigation Company vessels have brought out a considerable number of the better class of emigrants; they have made nine trips from Liverpool during the season, and average 246 passengers each trip; their arrangements appear to have given very general satisfaction, and the passengers report favourably of the accommodations.

This company, from the difficulty of securing a sufficient number of steamers of the class adapted to Atlantic navigation, have laboured under many disadvantages, and from being unable to secure punctuality in their periods of sailing, have been less successful than they otherwise would have been; but from the information received, this difficulty will in future be avoided, and they will be prepared to commence this spring with a competent line of powerful and well-appointed steamers, that will make the passage in from 12 to 13 days. The regular establishment of an efficient line of steamers to this port, cannot but prove of vast importance to the best interests of the province, and will also, I trust, prove equally beneficial to the enterprising proprietors.

CANADA.

I have thus endeavoured, in as brief a manner as possible, to bring before your Excellency a review of the most important transactions connected with this department during the past season, all of which I respectfully submit to your Excellency's favourable consideration.

To his Excellency
Sir Edmund Walker Head, Bart.,
Governor General,
&c. &c. &c.

I have, &c.
(signed) A. C. Buchanan,
Chief Agent.

Dear Sir,

Emigrant Office, Toronto, 30 December 1855.

WITH reference to the immigration of 1854, I am of opinion that the total number of emigrants to Canada, was a trifle over 60,000; of these, as you are aware, nine-tenths, or 54,000, landed at Quebec and Montreal. The remainder came to this province *via* Oswego, Rochester, and Lewiston.

What proportion of the former became actual settlers I have no means of ascertaining; but I am not inclined to estimate the number at more than half or 27,000. Of the latter who entered Canada by the ports I have named, almost all remain; but as some of them came here to seek employment on our public works, it is but reasonable to suppose that as soon as these are finished, a few will return to the States. The disposition to settle permanently in Canada was never so strong as at present amongst emigrants from the United Kingdom. An unusual number who have resided for years in the States, have come hither during the last year, and I have received frequent applications for information with regard to the price of land, the rates of wages, and the nature of the climate, &c., from others who expressed a strong desire to reside once more under "British rule," provided they could do so with a reasonable prospect of doing well. It is also somewhat unusual to witness the return of such a large number of emigrants from the States to the United Kingdom, as has taken place during the past season, which has been estimated by some of the American newspapers to exceed 20,000. Although the depressed state of business may in part account for this disposition to leave the States and settle in Canada or return to their native land, it is evident that the recent movements of the "native American," or as it is more generally called the "Know-nothing" party, against foreigners, and more especially against the Irish Roman-catholics, have been the chief cause, and if the hostile feelings manifested by the Americans should, as there is every prospect of their doing, influence their future legislation, it will induce still larger numbers to come and settle in this province and check British emigration to the United States.

During the spring and summer of 1854, the demand for labour in Canada has been unprecedented, and wages exorbitantly high, but owing to the sudden change which has taken place in our monetary concerns and the approach of winter, a depression has taken place which is likely to continue for some time; but there is every reason to believe that the year 1855 will be as prosperous in Canada as any of its predecessors.

The prices of all kinds of farm produce rule high, and our farmers were never better off.

The quantity of fall wheat sown, greatly exceeds that of any previous year, and the preparation for what are known as spring crops, indicate that the increased breadth of tillage will be equally great. The spring will also enable the contractors to proceed in their public and private undertakings with greater activity.

I think therefore that we may with confidence anticipate abundance of employment and fair wages for all the skilled as well as all the unskilled labourers who may land upon our shores in 1855.

The unhealthiness of the past season in consequence of the prevalence of cholera throughout Canada, occasioned much distress, especially amongst the German emigrants; but the number of deaths amongst the emigrants of British origin was not large. I attribute this difference to the fact that the vessels in which the former were transported were generally more crowded, as they came to Quebec in large bodies together, and proceeded in the same crowded state up the St. Lawrence and the lakes to their places of destination in the Western States.

With reference to limiting the number of emigrants on board of our Canadian steamboats, I have nothing to add in addition to what I have already communicated, nor can I suggest any change in the management of the business of the Emigration Department, which I would consider an improvement on the present system, except the passage of a law to restrict the number of passengers during the prevalence of cholera, or any epidemic disease, to such limit as medical men may consider safe.

The means of transport on our waters are ample for almost any number of emigrants, the rates are reasonable, the steamers commodious, expeditious and safe, and those who really require assistance are always promptly relieved on application to the emigrant agents. I know of no part of the world where an equal number of persons thrown suddenly together have been conveyed the same distance at the same rate, with less inconvenience and as few accidents, as the vast body of emigrants who have been transported from Quebec to Hamilton during the last 10 years.

I am, &c.
(signed) A. B. Hawke,
Chief Emigrant Agent for Upper Canada.

To A. C. Buchanan, Esq.,
&c. &c. &c.

APPENDIX to EMIGRATION REPORT, 1854.

No. 1.

RETURN of the Number of EMIGRANTS Embarked, with the Number of Births and Deaths during the Voyage and in Quarantine, the Total Number Landed in the Colony, distinguishing Males from Females, and Adults from Children, with the Number of Souls from each Country; also the Number of VESSELS, TONNAGE, and SEAMEN Employed, and the Average Length of Passage, during the Season of 1854.

WHENCE.	Number of Vessels.	Average Days on Tonnage. Passage.	Number of Seamen.	Cabin Passen- gers.	NUMBER EMBARKED.								Total Steerage.	Births.		TOTAL Souls on Board.	DEATHS ON THE PASSAGE.					
					Adults.		Children, 1 to 14 years.		Infants.	M.	F.	M.		F.	Adults.		Children, 1 to 14 years.		Infants.	TOTAL.		
					M.	F.	M.	F.									M.	F.				
England	146	46 1/2	95,992	3,438	528	7,162	4,718	2,708	2,262	1,080	17,980	17	13	18,488	34	24	88	82	54	282		
Ireland	97	47 1/2	42,818	1,625	107	4,605	6,814	2,138	2,122	458	16,137	10	7	16,261	25	18	16	14	11	84		
Scotland	82	47	43,141	1,578	140	2,708	1,639	823	799	343	6,312	5	2	6,459	2	1	2	2	3	10		
Continent of Europe	61	58	22,107	893	36	4,766	3,366	1,474	1,416	564	11,586	13	16	11,651	12	13	32	28	26	111		
Lower Ports, &c.	55	-	8,138	885	7	307	225	164	142	12	850	-	-	857	-	-	-	-	-	-		
TOTAL	441	48 1/2	212,196	7,859	818	19,548	16,762	7,807	6,741	2,457	52,815	45	38	53,716	73	56	138	126	94	487		

TOTAL LANDED IN THE COLONY.

WHENCE.	DEATHS IN QUARANTINE.					TOTAL Deaths.	TOTAL LANDED IN THE COLONY.										Grand Total Landed in the Colony.
	Adults.		Children, 1 to 14 years.		Infants.		TOTAL.	Adults.		Children, 1 to 14 years.		TOTAL.		Infants.	TOTAL Steerage.	Cabin Passengers.	
	M.	F.	M.	F.				M.	F.	M.	F.						
England	3	9	6	10	3	313	7,125	4,685	2,614	2,170	9,739	6,855	1,053	17,647	528	18,175	
Ireland	4	3	-	2	-	83	4,576	6,793	2,122	2,106	6,899	8,889	464	16,061	107	16,168	
Scotland	1	-	1	1	-	13	2,705	1,338	820	796	3,525	2,434	347	6,306	140	6,446	
Continent of Europe	1	2	-	-	-	114	4,753	3,351	1,442	1,388	6,195	4,739	567	11,501	36	11,537	
Lower Ports, &c.	-	-	-	-	-	-	307	225	164	142	471	367	12	850	7	857	
TOTAL	9	14	7	13	3	533	19,466	16,602	7,102	6,602	26,628	23,204	2,443	52,365	818	53,183	

[illegible]

Emigration Department, Quebec, }
30 December 1854.

A. C. Buchanan,

No. 2.

ABSTRACT STATEMENT of the Numbers of EMIGRANTS Embarked, Births on the Passage, with the Number Died at Sea, and in Quarantine, and Total Landed in the Colony, distinguishing the Countries and Ports whence they sailed during the Season of 1854.

Ports whence Sailed.	Number of Vessels.	PASSENGERS.		Births.	TOTAL.	DEATHS		LANDED in COLONY.
		Steerage.	Cabin.			at Sea.	in Quarantine.	
ENGLAND :								
Bristol - - - -	6	85	- -	- -	85	- -	- -	85
Burdiff - - - -	5	50	- -	- -	50	- -	- -	50
Carlisle - - - -	1	146	- -	- -	146	- -	- -	146
Exmouth - - - -	3	54	4	- -	58	- -	- -	58
Gravelly - - - -	2	396	- -	1	397	6	- -	391
Grangemouth - - - -	1	6	- -	- -	6	- -	- -	6
Hull - - - -	7	1,057	17	2	1,076	16	- -	1,060
Leith - - - -	1	6	- -	- -	6	- -	- -	6
Liverpool - - - -	79	13,023	448	24	13,495	239	31	13,225
London - - - -	15	285	29	1	315	2	- -	313
Loughport - - - -	3	17	- -	- -	17	- -	- -	17
Newcastle - - - -	2	16	- -	- -	16	- -	- -	16
Newport - - - -	2	14	- -	- -	14	- -	- -	14
Northfleet - - - -	1	22	- -	- -	22	- -	- -	22
Plymouth - - - -	9	2,671	29	2	2,702	19	- -	2,683
Southampton - - - -	1	5	- -	- -	5	- -	- -	5
Swansea - - - -	2	13	- -	- -	13	- -	- -	13
T. Ives - - - -	1	3	- -	- -	3	- -	- -	3
Wansea - - - -	1	1	- -	- -	1	- -	- -	1
Weymouth - - - -	1	10	- -	- -	10	- -	- -	10
Worquay - - - -	1	13	1	- -	14	- -	- -	14
Whitehaven - - - -	1	19	- -	- -	19	- -	- -	19
Workington - - - -	1	18	- -	- -	18	- -	- -	18
	146	17,930	528	30	18,488	282	31	18,175
IRELAND :								
Belfast - - - -	9	918	16	1	935	- -	- -	935
Burke - - - -	13	2,542	27	1	2,570	5	7	2,558
Dublin - - - -	8	1,516	19	4	1,539	11	- -	1,528
Galway - - - -	2	263	- -	- -	263	- -	- -	263
Limerick - - - -	31	4,962	26	2	4,990	55	1	4,934
Londonderry - - - -	3	265	- -	1	266	1	- -	265
New Ross - - - -	7	2,490	6	2	2,498	6	- -	2,492
Newry - - - -	1	24	- -	- -	24	- -	- -	24
Sligo - - - -	2	392	4	5	401	4	1	396
Wexford - - - -	5	1,416	1	1	1,418	1	- -	1,417
Waterford - - - -	13	1,050	7	- -	1,057	1	- -	1,056
Wexford - - - -	1	147	- -	- -	147	- -	- -	147
Woughal - - - -	2	152	1	- -	153	- -	- -	153
	97	16,137	107	17	16,261	84	9	16,168
SCOTLAND :								
Aberdeen - - - -	12	1,559	48	- -	1,607	1	- -	1,606
Arbroath - - - -	1	46	- -	- -	46	- -	- -	46
Cardrossan - - - -	3	93	- -	- -	93	- -	- -	93
Colloa - - - -	1	2	- -	- -	2	- -	- -	2
Dunfries - - - -	1	144	8	- -	152	- -	- -	152
Dumfries - - - -	2	56	- -	- -	56	- -	- -	56
Dundee - - - -	3	17	11	- -	28	- -	- -	28
Fraserburgh - - - -	1	113	- -	- -	113	- -	- -	113
Glasgow - - - -	41	2,053	64	6	2,123	7	2	2,114
Greenock - - - -	9	1,778	9	1	1,788	1	1	1,786
Leith - - - -	4	48	- -	- -	48	- -	- -	48
Montrose - - - -	2	359	- -	- -	359	1	- -	358
Perth - - - -	2	44	- -	- -	44	- -	- -	44
	82	6,312	140	7	6,459	10	3	6,446

THE NORTH AMERICAN COLONIES.

17

Ports whence Sailed.	Number of Vessels.	PASSENGERS.		Births.	TOTAL.	DEATHS		LANDED in COLONY.
		Steerage.	Cabin.			at Sea.	in Quarantine.	
GERMANY :								
Antwerp - - - -	4	394	- -	1	395	7	- -	388
Hamburgh - - - -	23	4,561	8	14	4,583	58	1	4,524
Bremen - - - -	3	779	6	- -	785	8	1	776
	30	5,734	14	15	5,763	73	2	5,688
NORWAY AND SWEDEN :								
Arendal - - - -	1	188	- -	- -	188	- -	- -	188
Bergen - - - -	7	1,454	- -	1	1,455	2	1	1,452
Christiana - - - -	8	1,749	4	4	1,757	16	- -	1,741
Drammen - - - -	2	320	- -	1	321	2	- -	319
Gottenburg - - - -	2	259	14	3	276	13	- -	263
Krageroe - - - -	3	523	- -	- -	523	- -	- -	523
Larvig - - - -	1	7	- -	- -	7	- -	- -	7
Ostersior - - - -	1	62	- -	- -	62	2	- -	60
Posgrund - - - -	2	499	- -	3	502	2	- -	500
Stavanger - - - -	3	615	4	2	621	1	- -	620
Walve Saltvork - - - -	1	176	- -	- -	176	- -	- -	176
	31	5,852	22	14	5,888	38	1	5,849
LOWER PORTS - - - -								
	55	850	7	- -	857	- -	- -	857

RECAPITULATION.

England - - - -	146	17,930	528	30	18,488	282	31	18,175
Ireland - - - -	97	16,137	107	17	16,261	84	9	16,168
Scotland - - - -	82	6,312	140	7	6,459	10	3	6,446
Germany, &c. - - - -	30	5,734	14	15	5,763	73	2	5,688
Norway and Sweden - - - -	31	5,852	22	14	5,888	38	1	5,849
Lower Ports - - - -	55	850	7	- -	857	- -	- -	857
	441	52,815	818	83	53,716	487	46	53,183

Emigration Department, Quebec, }
December 1854.

A. C. Buchanan, Chief Agent.

No. 3.

RETURN of the Number of Admissions to HOSPITAL, Discharges, and Deaths of Emigrants arrived during the Season of 1854.

	ADMITTED.	DISCHARGED.	DIED.	REMAINED.
Grosse Isle Hospital - - - -	690	644	46	-
Marine Emigrant Hospital, Quebec - - - -	615	447	130	38
General Hospital, Montreal - - - -	342	278	48	16
	1,647	1,369	224	54

Emigration Department, Quebec, }
30 December 1854.

A. C. Buchanan, Chief Agent.

No. 4.

RETURN of TRADES and CALLINGS of the EMIGRANTS who arrived at the Ports of *Quebec* and *Montreal*, during the Year 1854.

Bakers - - - - -	51	Ropemakers - - - - -	6
Butchers - - - - -	23	Saddlers - - - - -	18
Braziers, Plumbers, and Tinsmiths - - - - -	16	Sailmakers - - - - -	5
Bookbinders and Printers - - - - -	19	Sawyers - - - - -	16
Bricklayers and Stonemasons - - - - -	228	Shipbuilders - - - - -	17
Cabinet Makers and Turners - - - - -	20	Shoemakers - - - - -	358
Carpenters and Joiners - - - - -	617	Smiths - - - - -	354
Cart and Wheelwrights - - - - -	39	Stonecutters - - - - -	67
Coach Makers - - - - -	8	Tailors - - - - -	433
Coopers - - - - -	40	Watch and Clockmakers - - - - -	43
Curriers - - - - -	2	Wool and Flax Dressers - - - - -	4
Dyers - - - - -	4	Weavers - - - - -	85
Engineers - - - - -	76	Servants - - - - -	117
Gardeners - - - - -	37	Unenumerated callings - - - - -	163
Hatters - - - - -	3	Farm Labourers - - - - -	5,632
Millers and Millwrights - - - - -	131	Common Labourers - - - - -	10,448
Miners - - - - -	238		
Merchants and Clerks - - - - -	156	Deaths of Male Adults :	
Moulders and Foundrymen - - - - -	24	At Sea - - - - -	73
Painters and Glaziers - - - - -	41	Quarantine - - - - -	9
Paper Makers - - - - -	4		
Plasterers - - - - -	5		82
		TOTAL - - -	19,466

Emigration Department, Quebec, }
30 December 1854.

A. C. Buchanan,
Chief Agent.

No. 5.

COMPARATIVE STATEMENT of the Number of EMIGRANTS arrived at the Port of *Quebec* since the Year 1829 inclusive.

COUNTRY.	Five Years from 1829 to 1833.	Five Years from 1834 to 1838.	Five Years from 1839 to 1843.	Five Years from 1844 to 1848.	1849.	1850.	1851.	1852.	1853.	1854.	GRAND TOTAL.
England - -	43,386	28,624	30,813	60,453	8,080	9,887	9,677	9,276	9,585	18,175	228,856
Ireland - -	102,264	54,898	74,981	112,192	23,126	17,976	22,381	15,983	14,417	16,168	454,386
Scotland - -	20,143	10,998	16,289	12,767	4,984	2,879	7,042	5,477	4,745	6,446	90,770
Continent - -	15	485	- - -	9,728	436	849	870	7,256	7,456	11,537	38,632
Lower Ports -	1,889	1,346	1,777	1,219	968	701	1,106	1,184	496	857	11,543
	167,697	93,351	123,860	196,359	38,494	32,292	41,076	39,176	36,699	53,183	824,187

Emigration Department, Quebec,
30 December 1854.

No. 6.

RETURN of the Number of PERSONS who received Assistance to emigrate, the AMOUNT of MONEY paid them on landing at *Quebec* during the Season of 1854.

DATE.	VESSEL'S NAME.	WHENCE.	Number of Persons.	CLASS.			BY WHOM SENT OUT.	Amount of Landing Money Paid at Quebec.
				M.	F.	C.		
								£. s. d.
24 May	Thetis	Limerick	60	-	60	-	Cashel Union	60 - -
26 "	Energy	"	32	-	28	4	Thurles ditto	30 - -
27 "	Jane Black	"	4	-	4	-	Ballyvaughan ditto	4 - -
27 "	"	"	12	-	8	4	Corofin ditto	10 - -
27 "	"	"	44	-	39	5	Ennis -	41 10 -
27 "	"	"	36	-	32	4	Ennistymon ditto	34 - -
27 "	"	"	26	-	21	5	Killydysart ditto	23 10 -
27 "	"	"	47	-	45	2	Killrush ditto	46 - -
27 "	"	"	34	-	32	2	Scariff ditto	33 - -
27 "	"	"	18	-	17	1	Tulla ditto	17 10 -
3 June	Tottenham	Cork	19	-	17	2	Urlingford ditto	18 - -
3 "	"	"	30	10	20	-	Cork Foundling Hospital	45 - -
3 "	Joseph Howe	"	10	-	10	-	Clogheen Union	10 - -
9 "	Glenlyon	New Ross	37	-	34	3	Callan ditto	27 - -
17 "	Lady Russell	Tralee	55	-	46	9	Kenmare ditto	55 - -
17 "	"	"	37	-	32	5	Cahiriveen ditto	37 - -
17 "	"	"	54	-	49	5	Dingle ditto	54 - -
17 "	"	"	50	-	48	2	Tralee ditto	50 - -
17 "	Augusta	Sligo	21	-	16	5	Ballina ditto	18 10 -
17 "	"	"	17	-	14	3	Killala ditto	15 10 -
17 "	"	"	3	-	3	-	Glanamady ditto	3 - -
17 "	"	"	9	1	6	2	Westport ditto	8 - -
17 "	"	"	13	-	8	5	Newport ditto	10 10 -
17 "	"	"	18	-	16	2	Clanmorris ditto	17 - -
17 "	"	"	10	-	9	1	Castlebar ditto	9 10 -
17 "	"	"	20	-	19	1	Carrick-on-Suir ditto	19 10 -
20 "	John Howell	Liverpool	60	5	48	7	Ballinrobe ditto	56 10 -
20 "	New Brunswick	Dublin	75	14	38	23	Rathdrum ditto	63 10 -
20 "	"	"	120	-	106	14	Parsonstown ditto	113 - -
20 "	"	"	43	-	40	3	Athlone ditto	41 10 -
26 "	Delta	New Ross	10	-	6	4	Waterford ditto	8 - -
6 July	Waterford	Galway	80	-	80	-	Galway ditto	80 - -
6 "	"	"	4	-	4	-	Tuam ditto	4 - -
7 "	Blanche	Cork	40	-	39	1	Kanturk ditto	40 - -
7 "	"	"	33	-	33	-	Skibbereen ditto	33 - -
7 "	"	"	9	-	9	-	Skull ditto	9 - -
7 "	"	"	36	-	34	2	Bantry ditto	36 - -
7 "	"	"	21	-	19	2	Castletown ditto	20 - -
7 "	"	"	17	1	13	3	Millstreet ditto	17 - -
10 "	Northern Light	Liverpool	59	-	58	1	New Ross ditto	58 10 -
10 "	"	"	9	-	6	3	Lismore ditto	7 10 -
10 "	Triton	Galway	69	3	44	22	Galway ditto	58 - -
10 "	"	"	21	1	16	4	Oughterard ditto	19 - -
12 "	St. Lawrence	Cork	30	-	27	3	Nenagh ditto	28 10 -
22 "	Pemberton	"	59	-	56	3	Youghal ditto	59 - -
25 "	Theron	Limerick	108	-	105	3	Limerick ditto	106 10 -
25 "	"	"	2	-	2	-	Kilmallock ditto	2 - -
25 "	"	"	31	1	17	13	Croom ditto	24 10 -
26 "	Simonds	Liverpool	10	-	10	-	Ballina ditto	10 - -
29 "	Mauritius	Londonderry	4	-	2	2	Londonderry ditto	6 10 -
29 "	Columbus	Dublin	223	-	223	-	South Dublin ditto	223 - -
10 Aug.	Satellite	Cork	61	-	60	1	Clonmel ditto	60 10 -
10 "	"	"	109	1	104	4	Cork ditto	109 - -
11 "	Dykes	Tralee	19	-	19	-	Killarney ditto	19 - -
12 "	Janes	Limerick	14	1	6	7	Rathkeale ditto	10 10 -
19 "	Mary Carson	Liverpool	104	13	67	24	Gort ditto	92 10 -
20 "	Harriet	Dublin	32	3	25	4	Balrothery ditto	30 - -
22 "	Georgiana	Limerick	21	-	21	-	Limerick ditto	23 - -
22 "	"	"	21	-	17	4	Rathkeale ditto	19 - -
22 "	"	"	18	-	7	11	Glynn ditto	12 10 -
22 "	"	"	30	-	22	8	Newcastle ditto	26 - -
22 "	"	"	36	-	30	6	Listowell ditto	33 - -
1 Sept.	Triumph	"	78	-	75	3	Limerick ditto	76 10 -
15 "	William and Joseph	"	128	-	124	4	Ditto - ditto	125 - -
28 "	Anna Maria	"	78	-	76	2	Ditto - ditto	77 - -
10 Oct.	Jessy	"	54	1	48	5	Galway ditto	51 10 -
26 "	Canada	Cork	251	5	203	43	Cork ditto	229 10 -
26 "	"	"	7	1	6	-	Cork Foundling Hospital	11 - -
28 "	New Brunswick	Dublin	21	-	21	-	Rathdrum Union	21 - -

(continued)

CORRESPONDENCE RELATIVE TO EMIGRATION TO

DATE.	VESSEL'S NAME.	WHENCE.	Number of Persons.	CLASS.			BY WHOM SENT OUT.	Amount of Landing Money Paid at Quebec.
				M.	F.	C.		
26 May - -	Oriental - - -	Plymouth - - -	6	1	1	4	Parish - - - -	£. s. d. 4 - -
3 July - -	Richard and Harriet -	Hull - - -	14	3	3	8	Ditto - - - -	-
30 Sept. - -	Lady Peel - - -	Plymouth - - -	8	2	1	5	Ditto - - - -	4 10 -
26 May - -	Oregon - - -	Liverpool - - -	80	18	15	47	Baden, in Germany -	64 - -
4 Oct. - -	Enterprise - - -	Dublin - - -	191	55	42	94	Ditto - - - -	200 13 -
18 " - -	Oregon - - -	Liverpool - - -	151	51	33	67	Ditto - - - -	150 14 -
			3,421	191	2,694	536	£.	3,271 17 -

RECAPITULATION.

	ENGLAND.		IRELAND.		CONTINENT OF EUROPE.	
		£. s. d.		£. s. d.		£. s. d.
Parish funds - - - -	14	8 10 -	2,971	2,848 - -	422	415 7 -
Private ditto - - - -	—	—	—	—	—	—
Free passage only - - -	14	—	—	—	—	—
	28	8 10 -	2,971	2,848 - -	422	415 7 -

Emigration Department, Quebec, }
30 December 1854.

A. C. Buchanan,
Chief Agent.

No. 7.

ROUTES, DISTANCES, AND RATES OF PASSAGE, 1854.

FROM QUEBEC TO MONTREAL,

180 Miles, by Steamers, every Day, at Five o'clock, through in 14 hours.

	Steerage.		Cabin.	
	Sterling.	Currency.	Sterling.	Currency.
	s. d.	s. d.	s. d.	s. d.
By the Royal Mail Packets - - - -	3 -	3 9	14 -	17 6
„ Tait's Line - - - -	3 -	3 9	10 -	12 6

FROM MONTREAL TO WESTERN CANADA.

Daily, by the Royal Mail Line Steamer, at Nine o'clock, A. M., or by Railroad to Lachine,
at Twelve o'clock.

	Distances.	Deck Fare.		Cabin Fare.	
		Sterling.	Currency.	Sterling.	Currency.
From Montreal to	<i>Miles.</i>	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Cornwall - - -	78	- 5 -	- 6 3	- 11 -	- 13 9
Prescott - - -	127	- 6 -	- 7 6	- 14 -	- 17 6
Brockville - - -	139				
Kingston - - -	189	- 8 -	- 10 -	1 - -	1 5 -
Cobourg - - -	292	- 12 -	- 15 -	1 8 -	1 15 -
Port Hope - - -	298				
Bond Head - - -	313	- 14 -	- 17 6	1 14 -	2 2 6
Darlington - - -	317				
Whitby - - -	337	- 16 -	1 - -	1 16 -	2 5 -
Toronto - - -	367				
Hamilton - - -	410				
Detroit - - -	596	1 4 -	1 10 -	2 16 -	\$. 14
Chicago - - -	874	1 12 -	2 - -	4 - -	\$. 20

Passengers by this line tranship at Kingston to the lake steamers, and at Toronto for Buffalo.

Daily, by the American Line Steamer, at One o'clock, A. M.

	Distance.	Deck Fare.		Cabin Fare.	
		Sterling.	Currency.	Sterling.	Currency.
From Montreal to	<i>Miles.</i>	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Ogdensburg - - -	138	- 6 -	- 7 6	- 14 -	- 17 6
Cape Vincent - - -	190	- 8 -	- 10 -	1 - -	1 5 -
Sacket's Harbour - - -	242	- 12 -	- 15 -	1 4 -	1 10 -
Oswego - - -	286	- 14 -	- 17 6	1 6 -	1 12 6
Rochester - - -	349	- 16 -	1 - -	1 10 -	1 17 6
Lewiston - - -	436			1 14 -	2 2 6
Buffalo - - -	467	1 - -	1 5 -	1 18 -	2 7 6
Cleveland - - -	661	1 6 -	1 12 6	-	-
Sanduskey - - -	721	1 8 -	1 15 -	-	-
Toledo and Monroe - - -	975	1 8 -	1 15 -	-	-

Passengers by this line tranship at Ogdensburg to the lake steamers, for Oswego and Lewiston.

The passengers for both lines embark at the Canal Basin, Montreal.

	£. s. d.
Steerage passage from Quebec to Hamilton - - -	- 1 3 9
Steerage passage from Quebec to Buffalo - - -	- 1 8 9

CANADA.

FROM HAMILTON TO THE WESTERN STATES.

By the Great-Western Railroad. The new short Route to the West. Trains leave Hamilton daily for Detroit, connecting at that City with the Michigan Central Railroad for Chicago.

	Distance.	Emigrant Train.		First-Class Train.	
		Sterling.	Currency.	Sterling.	Currency.
	<i>Miles.</i>	£. s. d.	£. s. d.	£. s. d.	£. s. d.
To Dundas - - -	6	- - 6	- - 7 $\frac{1}{2}$	- 1 -	- 1 3
Flamboro - - -	9	- - -	- - -	- - -	- - -
Paris - - -	20	- 2 -	- 2 6	- 3 8	- 4 6
Woodstock - - -	48	- 3 -	- 3 9	- 5 -	- 6 3
Ingersoll - - -	47	- 3 6	- 4 4 $\frac{1}{2}$	- 7 -	- 8 9
London - - -	76	- 4 9	- 6 -	- 9 -	- 13 3
Eckford - - -	96	- 6 -	- 7 6	- 14 -	- 17 6
Chatham - - -	140	- 7 -	- 8 9	- - -	- - -
Windsor - - -	186	- 8 -	- 10 -	1 - -	1 5 -
Detroit, Michigan		- 8 -	- 10 -	1 - -	1 5 -
Chicago, Illinois -		- 16 -	1 - -	2 4 -	2 15 -

Steamers leave Chicago daily for Milwaukee and all other ports on Lake Michigan.

Emigrants on arriving at Chicago, if proceeding further, will, on application to Mr. H. J. Spalding, agent of the Michigan Central Railroad Company, receive correct advice and direction as to route.

Passengers for the western parts of the United States of New York, Ohio, Pennsylvania, and Indiana, must take the route *via* Buffalo.

OTTAWA RIVER AND RIDEAU CANAL.

From Montreal to Bytown and Places on the Rideau Canal, by Steam every evening, by *Robertson, Jones & Co's* Line.

	Distance.	Deck Passengers.	
		Sterling.	Currency.
	<i>Miles.</i>	£. s. d.	£. s. d.
From Montreal to			
Carillon - - -	54	- 2 -	- 2 6
Grenville - - -	66	- 3 -	- 3 9
L'Original - - -	73	- 3 -	- 3 9
Bytown - - -	129	- 4 -	- 5 -
Kemptville - - -	157	- 6 -	- 7 6
Merrickville - - -	175		
Smith's Falls - - -	100		
Oliver's Ferry - - -	199		
Isthmus - - -	216		
Jones' Falls - - -	226		
Kingston - - -	258		

Passengers proceeding to Perth, Lanark, or any of the adjoining settlements, should land at Oliver's Ferry, seven miles from Perth.

ROUTE TO THE EASTERN PARTS OF THE UNITED STATES.

EMIGRANTS proceeding to any of the following States of the American Union, viz., Maine, New Hampshire, Massachusetts, Connecticut, Vermont, New York, and Pennsylvania, by the Champlain and St. Lawrence Railroad Company, Mr. W. A. Merry, secretary. Office opposite the Steamboat Landing, Montreal.

	Emigrant Train.	
	Sterling.	Currency.
	£. s. d.	£. s. d.
From Montreal to		
Burlington - - - - -	- 8 -	- 10 -
Whitehall - - - - -	- 12 -	- 15 -
Troy - - - - -	- 18 -	1 2 6
New York - - - - -	- 19 -	1 3 9
Boston - - - - -	1 6 -	1 12 6

Trains of the above company leave Montreal daily.

From Toronto, steamers leave daily for Port Credit, 15 miles; Oakville, 25 miles; Wellington-square, 37 miles; Hamilton, 43 miles; also Port Dalhousie on the entrance of the Welland Canal, Niagara, Queenston, and Lewiston: passage, 3 s. 9 d.

Steamers leave Kingston daily for the Bay of Quinte and the River Trent, calling at Picton, Adolphustown, Belleville, and other landing places in the Bay.

TO NEW BRUNSWICK.

THE best and most expeditious route is by the St. Lawrence and Atlantic railroad, from Montreal to Portland, thence by steamer, which leaves for St. John's, N. B., every Monday and Wednesday evening, at 8 o'clock.

Route :

	Sterling.	Currency.
	£. s. d.	£. s. d.
From Quebec to Montreal, by steamer - -	- 3 -	- 3 9
Montreal to Portland, by railroad -	1 4 -	1 10 -
Portland to St. John's, by steamer -	- 16 -	1 - -
	1 3 -	2 13 9

Freight Steamers leave Montreal daily for Kingston, Toronto, and Hamilton.

	Sterling.	Currency.
	£. s. d.	£. s. d.
Passage to Kingston - - - - -	- 4 -	- 5 -
Passage to Toronto and Hamilton - -	- 8 -	- 10 -

CANADA.

Throughout these passages, children under 12 years of age are charged half-price, and those under 3 years are free.

Passengers by steamers from Quebec to Hamilton, luggage free; if by railroads, 100 lbs. is allowed to each passenger, all over that quantity will be charged.

The gold sovereign is at present worth 1*l.* 4*s.* 4*d.* currency, the English shilling, 1*s.* 3*d.*, and the English crown-piece, 6*s.* 1*d.*

Through tickets can be obtained on application to this office.

Emigration Department, }
Quebec, August 1854. }

A. C. Buchanan,
Chief Agent.

No. 8.

EXTRACTS from the Notes appended to the Periodical Reports of Arrivals of Passenger Ships at the Ports of *Quebec* and *Montreal*, in the Season of 1854.

RETURN No. 1.—From 17th to 26th May 1854.

Note.—THE emigrants arrived from the 17th to 26th May 1854, number 8,135; showing an increase of 4,387 over the corresponding period in 1853. They have landed in good health, notwithstanding the fear entertained by many, that the existence of cholera in the United Kingdom would not fail to introduce it here; happily, so far, these fears have not been realised; and although sickness has existed on board several of the vessels, it has been chiefly from measles and small-pox. The only cases of cholera which appeared, were on board the “Primrose,” from Limerick; 25 of the passengers died, two of which occurred previous to her sailing; the last death was on 3rd May, 15 days previous to her arrival at the quarantine station; and although several of the passengers were sent to hospital, suffering from extreme debility, no further symptoms of the disease appeared among them.

The increase over last season is chiefly from English ports, which gives an excess of 2,500 over last season. The port of Liverpool contributes over 1,800 persons; more than one-half of whom are foreigners, chiefly Germans. This is a branch of our emigration which is likely to increase very much, as, owing to the favourable reports which the emigrants of previous years have sent home of the St. Lawrence route, and the rate of the passage being much lower than to the United States, the attention of the shipping agents, as well as the emigrants, have been directed to this route.

The foreign emigrants which have arrived this season, have brought out a large amount of money with them, generally in drafts on New York and gold. The Norwegians all proceed to Wisconsin; the Germans are more generally scattered over the American Union, and a number of respectable, wealthy families have gone to settle in Western Canada.

The Scotch and English emigrants are of a superior class, and I have not seen a more substantial or respectable class of farmers arrive at this port for many years; a large proportion of whom intend settling in Western Canada, to which they cannot but prove a valuable acquisition. About 100 young females have been sent out by the Irish Poor-law Union; they received 1*l.* sterling each on landing here; the greater part of them proceeded to Toronto, where they immediately found employment.

Employment is most abundant, and I have never known such a general complaint from all parties throughout the country, as this season, of the difficulty and almost impossibility of obtaining labourers, servants and all classes of mechanics. Constant applications are daily made to this department, from all sections of the province, which it is impossible to fulfil.

No. 2.—From 27th to the 28th May.

Two thousand seven hundred and twelve emigrants arrived in this port on the 27th May, in good health. The deaths on the passage were but 33, chiefly children, 19 of which occurred on board the “Lady Hobart,” from Liverpool, viz., three adults and 16 children. The great majority of emigrants by these vessels were respectable farmers and mechanics, all of whom were emigrating to friends; very few even of the labouring class could be induced to stop here, and avail themselves of the present great demand for labourers.

Two hundred and twenty-one female paupers arrived by the “Jane Black” from Limerick, and

and 10 in the "Joseph Howe" from Cork. They received 20 s. sterling each on landing. They were sent out by the following unions:—

	ADULTS.	CHILDREN.	STERLING.
			£. s. d.
Ennystymon - - -	32	4	34 - -
Killadysart - - -	21	5	23 10 -
Kilrush - - - -	45	2	46 - -
Scariff - - - -	32	2	33 - -
Tulla - - - -	17	1	17 10 -
Ballyvaughan - - -	4	- -	4 - -
Corofin - - - -	8	4	10 - -
Ennis - - - -	39	5	41 10 -
Clogheen - - - -	10	- -	10 - -
	208	23	219 10 -

From 75 to 80 of these young women were hired in Quebec the day they landed; the rest proceeded, some to friends in New York and Boston. Upwards of 120 were forwarded to Upper Canada, and were all immediately employed within a few hours of landing.

No. 3.—From 29th May to 3d June.

THREE thousand five hundred and twenty-nine emigrants landed at this port in good health from the 29th May to the 3d instant. The foreign emigration, which is largely on the increase by this route, numbered 1,311 persons, 1,203 of whom came direct from continental ports, and 108 by the "Leonard Dobbin" from London, were from the ship "Duchalot" from Havre to New York, abandoned at sea. These parties were forwarded to New York by the agents of the "Duchalot." The foreign emigration by the vessels in this return have, with few exceptions, proceeded direct to the Western States.

The English emigration number but 246 persons, chiefly from Fowey, were respectable farmers, and a few miners. The emigrants from the port of Liverpool are chiefly Irish. The vessels enumerated in this return, four in number, although they brought out 170 passengers, did not come within the regulations of the Act, having less than one passenger for every 25 tons of their registered tonnage. The "Good Intent," from Fowey, had on board, besides her own complement of passengers, 76 persons taken from the wreck of the "Black Hawk," from Liverpool to New York, abandoned at sea. These poor people lost all their baggage. They expressed themselves very grateful for the care and kindness which they received from Captain Gill, and the passengers on board his vessel.

The emigration from Ireland number 1,306 persons, a large proportion of whom were parties emigrating to join friends in Western Canada and the United States.

By the "Tottenham," from Cork, there were 19 females from the Urlingford Union; they received through this department 20 s. sterling each on landing, and were forwarded to Belleville, Upper Canada; furnished with a letter of recommendation, and I have heard since that they all obtained situations on the day they arrived there.

There were also by this vessel 10 boys and 20 girls sent out by the Governors of the Cork Foundling Hospital; they received 30 s. each on landing here, and have all been placed in situations in this city, the boys at trades, and the girls with respectable families.

The first complaint this season was made by the brig "Hannah," from Arbroath, against the master, for issuing unwholesome and impure water. Proceedings were instituted, and, after a lengthened inquiry, the master was convicted, and fined 20 l. sterling, with costs.

Employment of every description continues most abundant, and there is a great scarcity of labourers throughout the country. The emigration, on the whole, has been very satisfactory. The extent of applications for assistance has been less than last season in comparison with the number of arrivals. The only persons requiring relief have been women and children, who have come out to join their relations.

No. 4.—From the 4th to the 20th June.

THE emigrants arrived during the period embraced in this return, have landed in good health, with the exception of those by the "Glenmanna," from Liverpool; 44 deaths occurred among the passengers, from measles and diarrhoea, and 8 were reported sick on arrival at Grosse Isle. Sickness has appeared to a greater extent among the emigrants from Liverpool, this season, than from any other port. There were a good many foreigners on board of each of the ships from this port, chiefly Germans and Swedes, and disease has appeared to exist, to a greater extent among them, than with our own countrymen. Of the total emigration from Liverpool, 2,190 over 700 were foreigners, which would give the number of foreigners in this return 2,974 over, half of which are Norwegians, and who, with but few exceptions, proceeded direct to the Western States; 14 Norwegian families (60 persons) by the "Flora," from Christiana, have proceeded to settle in the Eastern townships, where they have been induced to proceed from the representations received from a few of their countrymen, who settled in Sherbrooke two years since, and where it would appear they have done well, and are held in high estimation by the inhabitants. Four of the families of this season have purchased farms, and the rest of the party are employed on the Railroad.

The English and Scotch emigrants are respectable farmers and agricultural labourers, and have proceeded to Western Canada.

Of the Irish 648 were female paupers sent out by the Poor-law unions; they received 20 s. sterling each on landing here; a few were employed in this city, and a number went to their friends in the United States; fully three-fourths proceeded direct to Western Canada, where they would all meet with immediate employment. Employment continues most abundant, and daily applications are received from all sections of the province for labourers and mechanics, but which it is impossible to supply.

No. 5.—From 21st June to 3d July.

THE emigrant ships included in this return have landed their passengers in good health: of the whole number of emigrants landed 4,206, 1,802 were foreigners, chiefly Norwegians; 1,444 came by vessels direct, and 358 *via* Liverpool. They have proceeded to the Western States.

The emigrants of this season appear generally in good circumstances, or at least possess sufficient means to enable them to reach their destination. I only assist helpless families of females and children, who have emigrated, to join friends; all others disposed or willing to work have not only obtained it at once, but their services have been eagerly sought after. Common labourers are now receiving from 5 s. to 7 s. 6 d. per day.

No. 6.—From 3d to 31st July.

TEN thousand five hundred and thirty-seven emigrants landed at this port during the month of July. The deaths on the passage were 112, chiefly confined to the Liverpool vessels; and among the foreigners the deaths on board vessels, from Liverpool, were 79; foreign ships 29; while among the emigrants from Irish and Scotch ports there were but 4. Of the emigrants from English ports (4,602), 4,273 were from Liverpool, of whom there were,

Foreigners	-	-	-	-	-	-	2,504
English	-	-	-	-	-	-	722
Irish	-	-	-	-	-	-	844
Scotch	-	-	-	-	-	-	203
							4,273

The total foreign emigration during the month, may be stated as follows:

By ships direct	-	-	-	-	-	2,651
„ <i>via</i> Liverpool	-	-	-	-	-	2,504
„ <i>via</i> Hull	-	-	-	-	-	295
						5,450 souls.

being over one-half of the arrivals of the month. Fully four-fifths of this class of our emigration have proceeded to the public works in Western Canada, where they have found steady remunerative employment.

The English and Scotch emigrants were agriculturists and mechanics, many of the latter have come out under engagement to the Grand Trunk Company. The farmers and farm labourers all went to Western Canada, Toronto, and Hamilton, where they will doubtless prove

prove a valuable addition to the population of that section of the province, possessing, as many of them do, capital, intelligence, and agricultural skill.

Of the Irish emigrants, a number were pauper females from the Poor-law Unions, which numbered 833 souls; they received 20 s. sterling, each adult, and 10 s. each child, on landing; the remainder consist of families, chiefly women and children emigrating to friends, a large number of whom went to the United States. The total Irish emigrants are classed as follows:

Male Adults	-	-	-	-	-	-	618
Females	-	-	-	-	-	-	1,279
Children	-	-	-	-	-	-	619
Cabin	-	-	-	-	-	-	12
							2,528

The chief part of the female paupers were directed to Upper Canada, where, notwithstanding the number previously sent, they will all do well, as their services are much required; and daily applications are received for domestic servants and labourers from all sections of the province. The accounts received all agree that the public works are retarded, and the farmers are suffering great inconvenience and loss from the scarcity and difficulty of securing labour. The emigrants, by the several vessels in this return, have all arrived free of complaints, with the exception of some of the foreign emigrants by the "Crown," from Liverpool, who complained of the treatment received on the passage, but which was afterwards settled by the master paying them 50 dollars as compensation.

No. 7.—From 31st July to 31st August.

SEVEN thousand one hundred and thirty-two emigrants landed at this port during the past month. The deaths on the passage were 46, chiefly children, 26 of which occurred on board three ships from Liverpool. Of the total number, 2,199 were foreigners, 1,610 of whom came direct, and 589 *via* Liverpool; 6,670 emigrated voluntarily, and 462 were sent out by the Irish Poor-law Unions, and were paid 20 s. sterling each adult on landing. One of the girls from Listowel Union, by the ship "Georgiana," having lost her eyesight, has been taken back to the union by the master. The conduct of these females has been reported as most exemplary, and they give equally favourable reports of the kindness and attention of the master to them during the passage. A number obtained situations in this city, and about Montreal. About 150 went to the United States to join their friends, chiefly to the manufacturing districts in the Eastern States, and the remainder were sent forward to Upper Canada, where they were immediately employed at fair wages, from two to three dollars per month. The remainder of emigrants from Ireland are labourers with their families, coming out to join friends in different parts of Canada and the United States. On board the "Christiana," from Cork, a family of 27 proceeded direct to Boston and New York, having engaged their passages through by this route, with Mr. Brennan, of Cork, on more favourable terms than they could procure a passage direct.

The emigration from Scotland, 1,397, consists of respectable farmers and mechanics, the greater part of them proceeded direct to Western Canada. Employment continues abundant, and constant applications are made to this department for labourers and servants, which it is impossible to supply.

Complaints were made by a portion of the passengers by the "John Davis," from Liverpool, for irregularity and deficiency in the issue of provisions during the early part of the voyage. The complaint was heard before the sitting magistrates, and the master was convicted in a fine of 5 l. with costs.

The number of persons assisted from the several ships in this return was 1,202, viz., 658 adults, 544 children, the adults were nearly all females.

No. 8.—From 31st August to 30th September.

THE emigrants arrived during the month of September, numbering 4,566, have all landed in good health, but 26 deaths occurred during their passage, 10 of which were on board the Norwegian ship "Norden" from Christiana.

Among the emigrants from Ireland there were 283 females all from the Limerick Union; they received the usual landing money on arrival here, and with the exception of a few who had friends in the United States, they were sent forward to Western Canada in the neighbourhood of Coburg and Port Hope. The following is an extract from a letter from the Mayor of Port Hope, reporting the arrival and disposal of a party of these girls which were sent forward to him at his request:

"On the morning of the 5th instant I received from the agent at Montreal a list of 54 young women, forwarded by him in compliance with your instructions, and upon inquiry I learn that they had all been landed at this place during the night. I caused the necessary arrangements to be made immediately for providing them with food and shelter, and during the course of the day managed to dispose of 34 of them in good situations and at fair wages;

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since that time they have been gradually provided for in a satisfactory manner, with the exception of two who are labouring under some slight indisposition and are under medical treatment. I have to return you my thanks for your prompt compliance with my suggestions in sending us these young women; you have conferred a great benefit upon the people of the place as well as upon the girls themselves; by the course adopted the former have been released from an inconvenience of a serious and harassing description in the want of servants, and the latter placed in a position which will give them all a fair start for a living in the New World. I think, to-day, if I had them, I could have placed 20 more in good situations in the country; as information of the arrival of this party spreads abroad we receive constant applications from parties in want of servants, and who are not aware that they are all disposed of already. It would be advisable, should you have it in your power, to send us, between this and the close of the navigation, 50 more, giving me a few days' notice previous to their arrival here."

Since the arrival of this note a further party have been forwarded to the care of his Worship, all of whom have been satisfactorily disposed of.

The Scotch and English emigrants landed during this month are generally respectable farmers and agricultural labourers; they have chiefly proceeded to Toronto and Hamilton; a large party of Scotch by the "John Mackenzie," from Greenock, proceeded to join friends at Pembroke, on the Ottawa River.

The foreigners are mostly German, whose destination, with but few exceptions, was the Western States. Employment continues, as heretofore, abundant, and labourers and farm servants are daily inquired for in almost every section of the province.

No. 9.—From 30th September to 8th November.

THE emigrants arrived during the month of October number 5,868 persons, being an increase upon the corresponding month in 1853 of 4,116 persons.

They generally landed in good health, the total mortality during the passage being but 65, 32 of whom occurred on board two vessels, the "Larvig," from Gottenburg, and the "Oregon," from Liverpool; both these vessels made long passages, the former 90 and the latter 62 days. The emigrants have come out chiefly to join friends, a large portion of whom had been assisted by their relations in this country. Among those from Ireland, there were 327 female paupers from the Cork, Galway, and Rathdrum unions, and seven orphans from the Foundling hospital in Cork; the former received 20s. sterling each adult, and the latter 30s. The orphan girls I have placed in respectable situations in this city; those from the unions have proceeded, a few, to friends in the United States; but the greater part have been forwarded to Bytown, Belleville, and Port Hope, where there was every prospect of their meeting with employment.

Among the party from the Cork union, 14 were landed at Grosse Isle, suffering from severe attacks of ophthalmia; two of the cases it is feared will lose their eyesight, and they will consequently be bonded under the Provincial Passenger Act. On Board the "Enterprise," from Dublin, and "Oregon," from Liverpool, there was a party of German paupers; in the former vessel 191, in the latter 150; total 106 men, 75 women, and 160 children; these parties were sent out from the village of Amshodst, in the Duchy of Baden, the expense being made up one half by the Duchy and the other by the inhabitants of the village. They received a free passage to this port and 10 guilders each on landing here to meet their immediate necessities. They are chiefly labourers and a few trades, tailors and shoemakers, but owing to the late period in the season of the arrival, there was but little prospect of their procuring any suitable employment in this district; they were forwarded up the country; the first party to Bytown and Bay of Quinte, where some influential gentlemen had offered to secure them employment; and the party by the "Oregon" were sent to the public works near Williamsburgh, where they would be likely to secure permanent employment during the winter. This opening has proved very fortunate, as with so many women and children depending on them, and being unacquainted with our language, they would have been exposed to much suffering and hardship during the approaching winter. Had these parties been sent out here at a proper season, say in the month of May or June, in place of October, their arrival would have been hailed with satisfaction, and they might have calculated on successfully establishing themselves in such a manner as to have secured their families against the fear of want during the winter. From appearance I am disposed to look for a considerable increase on this class of our foreign emigration in future years, and unless they are sent out in proper season it may be found necessary to impose an additional tax on emigrants arriving after a certain date, in order to provide a fund to meet the expenses which the country may be subject to on their account.

The proportion of females and children by the several vessels in this return is unusually large, the women and children being considerably over two to one of the male adults; the claims on the department for assistance have consequently been heavy.

— No. 2. —

(No. 45.)

COPY of a DESPATCH from Governor-general Sir E. Head to the
Right Honourable Lord John Russell.

Government House, Quebec,

10 May 1855.

(Received 28 May 1855.)

My Lord,

(Answered, No. 29, 11 June 1855, page 33.)

IN reference to your Lordship's despatch, No. 15*, of the 8th of April last, enclosing the Report of the Colonial Land and Emigration Commissioners on the chief emigrant agents' annual statement of the emigration to Canada in 1854, copy of which was communicated to Mr. Buchanan; I have now the honour to transmit herewith a copy of that gentleman's explanations.

* Page 31.

I have, &c.
(signed) *Edmund Head.*

Enclosure in No. 2.

Enclosure in No. 2.

Sir,

Government Emigration Department, Quebec,
7 May 1855.

I HAVE the honour to acknowledge the copy of a despatch from the Colonial Secretary to his Excellency the Governor-general, transmitting a copy of the Report* from the Colonial Land and Emigration Commissioners, on the report which I had the honour to make to his Excellency on the emigration of 1854.

* Page 32.

As the Commissioners have touched on one or two points in my report which calls for some explanation on my part, I avail myself of this opportunity of respectfully offering the following explanations, for the information of his Excellency.

1. With respect to the observations which I submitted on the issue of the provisions in an uncooked state. The Commissioners remark, that they have read these observations with surprise and regret, as they appear to show that I was not aware "that the issue in a cooked state of all provisions which require cooking has been required by law (section 33) since October 1852, in North America as well as in Australian voyages; that that provision of the law has been habitually neglected, and that no steps have been taken to punish such neglect."

In reply, I have to express my regret that in making these observations I should have failed to convey them in as intelligible a manner as I could have wished, the more particularly as these observations were not intended to bear the same application as the Commissioners would seem to give them; my desire was, as Parliament had under consideration the amending of the law regulating the carriage of emigrants, to avail myself of so favourable an opportunity as then presented itself of offering an opinion on that portion of the Act which appeared to me practically defective.

I had intended that all cooking by the passengers should be disallowed, and that all provisions should henceforth be supplied by the ship, and served out in a cooked state to individuals, or in messes of given numbers, much in the same manner as has been adopted on board the Canadian Steam Navigation Company's vessels, and which I had been given to understand was also followed on board of Australian emigrant ships; for I am persuaded that, should the emigrants be required or permitted to cook any portion of the provisions, the same objection and difficulty which I have pointed out would still continue to exist.

It may be remarked, that on board of the emigrant vessels from the United Kingdom to this port the only articles of food issued and which require cooking are oatmeal and flour; the several articles permitted to be substituted, such as meat, fish, and potatoes, are never issued while on board the Australian ships; a regular dietary scale of provisions is supplied, and the whole conduct and regulation of the ships are enforced by the surgeon superintendent, whose peculiar duty and interest is mainly to attend to the health and comfort of his charge; and I may here be permitted to observe, that the only complaint which has been made to me since the law of 1852 came into force, originated from the passengers of the "Blanche," from Liverpool, in 1853. The master, in obedience to the orders of the emigration officer at Liverpool, had the passengers' allowance of oatmeal cooked every day during the early part of the passage; but this was generally objected to by the passengers, and the cooked meal was either wasted or thrown overboard; after some time they, one and all, requested that he would discontinue the cooking, and serve them their allowance of meal, and permit them to prepare it themselves. During the period at which the oatmeal was cooked, a portion of their allowance of water was necessarily stopped from each passenger for the purpose of cooking, which caused dissatisfaction, and was made one of the subjects of complaint on their arrival here, which the captain at once admitted, but stated,

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in justification, that he had acted in strict obedience to the orders of the Government emigration officer who cleared his vessel. The magistrates, however, gave judgment against him, and stated that he was bound by the Act to issue three quarts of water to each passenger, exclusive of any quantity which may have been required for cooking their food.

Since then the dietary scale, as provided for by the first clause of 33d section, has been issued, as heretofore, uncooked, and prepared by the passengers themselves; and I have never received any complaints from them on that point; and when emigrants will not prefer complaints, it would, in my opinion, serve no good purpose, if not supererogatory, to institute proceedings against the master.

I have, in reading attentively the 33d section of the Act, and to which your Excellency has been requested by the Commissioners to direct my particular attention, been fully impressed with the conviction that the obligation on the part of the master requiring all articles required to be cooked shall be issued in a cooked state, applied more particularly to cases in which the articles permitted to be substituted were provided, and which, from not being obligatory and more expensive, became a sufficient reason for preventing their issue.

Some of the objections made by parties interested in framing the Bill of 1852, making it obligatory on ships to supply the whole of the provisions required, appeared to be, that it would tend to enhance the rates of passage so much as materially to affect and check the emigration of the poorer classes. These causes do not at present exist, at least to the same extent; and the stimulus to emigration has become so strong of late years as to excite fears of an opposite nature in the minds of many in the mother country.

Should the Commissioners, however, see difficulties in carrying out the system of cooking for the passengers entirely, I would earnestly recommend that one meal per day at least, say their dinner, be prepared, and served out hot, by the ship; this would in my opinion tend, in some degree, to remedy the evil complained of, and by furnishing the emigrants, morning and evening, with an allowance of boiling water for breakfast and tea, the health and comfort of the emigrants would be materially benefited.

With reference to the enforcing the provisions of the law, in cases of its violation on the part of shipmasters, I can state, without fear of contradiction, that I have in no instance whatever, permitted any well-grounded or just complaint to pass unnoticed; and I firmly believe that it is owing to the knowledge that all complaints will be promptly investigated and punished at this port, that so few of any serious character occur.

2. With regard to the remarks of the Commissioners respecting the supply of medical comforts, particularly for the use of females and young children; I am glad to find that a much more ample scale of nutritious dietary has been provided in the present Bill.

I am fully aware of the difficulty which exists in providing a special dietary for special classes; but I was in hopes that a certain proportion of medical comforts might be placed under the charge of the captain or surgeon, for the use of young children, and available when required.

The Commissioners are of opinion that it would not be wise to introduce extras into the dietary scale presented by the Act; but that emigrants may fairly be expected to provide for themselves such luxuries as preserved milk, &c. I fear, however, that such expectations will seldom be realised; as in the great majority of cases the poor people would not be aware of their value and importance, and would also be deterred by the expense of procuring an article the value of which they could not appreciate, and the necessity for which they did not understand. So many instances have been brought to my knowledge in which deaths, in all human probability, might have been prevented by having a supply of these articles on board, that I could not permit the opportunity to pass without offering my testimony, strengthened by that of the medical officers of Grosse Isle, as to their value and importance.

3. On the subject of requiring surgeons to obtain certificates from the medical officer at Grosse Isle, as to the manner in which they discharge their duties, it was not suggested with the view that any such regulation should be introduced into the Act, but from a conviction that should a regulation to that effect be issued by the Commissioners, it would be generally adopted by the shipowners and charterers.

It may be necessary to observe that several of the most respectable shipowners in Ireland continue to require that their surgeon should be provided with a certificate from this office, as to the manner in which he has discharged his duties, before he can receive a moiety of his pay.

This regulation was suggested by the Commissioners in their circular of August 1849, addressed to the Emigration Officers in the United Kingdom, in consequence of some complaints which I forwarded against the surgeon of an emigrant ship, and in that view I was desirous that this question should be disposed of by the medical superintendent, who is more competent than I am in determining the qualifications of medical men.

4. The observations which were made in my Report to his Excellency on the difficulty experienced by masters in obtaining reimbursement for expenses incurred in rescuing emigrants at sea were addressed more particularly for the action of the Provincial Government; and suggesting that the Collector of Customs should be authorised to settle these claims at a fixed reasonable rate, and to take the necessary steps to recover the same as provided for by the Act.

The delay and difficulty to which I have referred may perhaps be attributable in part to the fact of there not being any fund at the disposal of the Provincial Government which can be properly charged with the expenses in the event of its not being possible to recover them

them from anyone, owing to the absence of a bond, and the residence of owners, charterers, and masters being beyond the jurisdiction of British Courts. The ships in question from which these passengers had been rescued were foreign (American) and bound to a foreign port. Had the vessels wrecked, whether British or foreign, been bound to a British port, the case would have been different, as any expenditure made could at once have been recovered against the ship's bond (sec. 59 & 60).

A correspondence having taken place between the Collector of Customs on behalf of several captains, and the Civil Secretary, in June, bearing immediate reference to the subject in question, I would beg leave to subjoin a copy of the letter received by the Collector from Mr. Oliphant in reply, dated 12th September last:

"With reference to your letter to his Excellency, of 17th June last, on the subject of the grievances to which the captains of the trading vessels are exposed who rescue persons that have been shipwrecked, I am commanded by the Governor-general to inform you that his Excellency has received a communication from the Secretary of State for the Colonies, stating that the subject-matter of that letter will be taken into consideration by the Lords of the Committee of the Privy Council for Trade, as soon as the Merchants' Shipping Act, which contains amended provisions for the relief of distressed seamen abroad, and which transfers the business of that department, has come into operation.

"(signed) L. Oliphant, Secretary."

The whole of which is, nevertheless, respectfully submitted.

I have, &c.,
A. C. Buchanan,
Chief Agent.

Despatches from the Secretary of State.

— No. 1. —

(No. 90.)

COPY of a DESPATCH from the Duke of *Newcastle* to the Earl of *Elgin*.

My Lord,

Downing-street, 8 June 1854.

No. 1.
Duke of Newcastle
to the Earl of Elgin
8 June 1854.

WITH reference to your Lordship's despatch, No. 15 *, of the 24th November last, and with reference to my despatches, Nos. 73 * and 77 *, of the 15th February and 2d of March last, on the subject of certain outstanding claims of the Province of Lower Canada upon the Imperial Government in respect of immigration expenses; I have now to inform your Lordship, that the Lords Commissioners of the Treasury have given instructions to the officer in charge of the Commissariat in Canada to pay to the provincial government the balance of 11,697*l.* 16*s.* 6*d.* currency, by which proceeding it is understood that all claims and correspondence on this subject will be finally closed.

I have, &c.
(signed) *Newcastle*.

— No. 2. —

(No. 15.)

COPY of a DESPATCH from the Right Honourable Sir *George Grey*, Bart., to Governor *Head*.

Sir,

Downing-street, 8 April 1855.

No. 2.
The Right Hon.
Sir G. Grey to
Governor Head,
8 April 1855.
• Page 1.
30 March 1855.

I HAVE to acknowledge your despatch, No. 14 *, of the 13th February last, enclosing Mr. Buchanan's annual report on the emigration to Canada during the past year, and I now transmit to you, for your information, the copy of a report

* Pages 8, 41, and 43 of Papers relative to Emigration to the North American Colonies, presented to Parliament by Her Majesty's command, April 1854.

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report from the Colonial Land and Emigration Commissioners on the subject, especially with reference to the emigration from the German States.

With reference to Mr. Buchanan's remarks on the difficulty in obtaining reimbursement of expenses incurred in the rescue of shipwrecked passengers, I have to direct your attention to the observations of the Commissioners, in the sixth para. of their report, and to suggest that Mr. Buchanan should be instructed to govern himself accordingly.

I have, &c.

(signed) G. Grey.

Encl. in No. 2.

Enclosure in No. 2.

Colonial Land and Emigration Office,
30 March 1855.

Sir,

WITH reference to your letter of the 6th instant, enclosing a despatch from Sir E. Head, and the annual report of the emigration agent at the port of Quebec, we have the honour to state, that we have communicated to the Poor Law Commissioners of Ireland that part of Mr. Buchanan's report which relates to female emigration from the workhouses of that country.

1. We now enclose an extract relating to a pauper emigration which took place last year from Baden to Canada, and we would submit, for the consideration of the Secretary of State, whether it would not be advisable to communicate Mr. Buchanan's observations to the Court of Baden, and also so much as are of a general character to the other German States from which emigrants are in the habit of proceeding to British North America. The importance of an early arrival of such emigrants in a country where they can find scarcely any profitable employment during the winter, cannot be exaggerated, and if they should continue to arrive, as they appear to have done last year, late in the autumn, the Canadian Legislature will probably be compelled, not only in self-defence, but in the interests of the emigrants themselves, to increase the emigrant-tax on late arrivals, in proportion to the increased risk of their destitution.

2. Mr. Buchanan makes some observations on the working of the Passengers Act, to which it is necessary that we should refer.

3. First: He expresses his opinion that the most objectionable feature of the present Act is the issue of provisions in an "uncooked state," and suggests that to obviate the evils thence arising, the same regulations should be enforced in emigrant ships to North America as in those to Australia. We have read these observations with some surprise and much regret, as they appear to show that Mr. Buchanan is not aware that the issue in a cooked state of all provisions which require cooking, has been required by law (section 33) since October 1852, in North American as well as in Australian voyages; that that provision of the law has been habitually neglected, and that no steps have been taken to punish such neglect. We would submit that the Governor should be requested to direct Mr. Buchanan's particular attention to section 33 of the Passengers' Act of 1852.

4. Second: Mr. Buchanan proposes that a proper supply of medical comforts, of nutritious food for females, and preserved milk for children, should be required. In the Bill now before Parliament a much more ample and nutritious dietary has been provided both for American and Australian voyages, and it is also required that there shall be on board, in addition to a proper medicine chest, an adequate supply of medical comforts. There is great difficulty, however, in providing a special dietary for special classes of emigrants in this description of emigration, because it is seldom known, till a ship is on the point of sailing, in what proportions the emigrants will be divided into men, women, and children. If, therefore, the law prescribed a certain proportion of particular articles of dietary for the several classes on board, the emigration officer could not ascertain whether the law was complied with, except by postponing his survey of the provisions till the emigrants arrived. But this would occasion a delay and confusion more than equivalent to any good which might be anticipated. We think it would not be wise to introduce such minutiae into the dietary scale prescribed by the Act of Parliament, but that emigrants may fairly be expected to provide for themselves such luxuries as preserved milk, if they require them.

5. Third: Mr. Buchanan proposes that surgeons of emigrant ships should be required to obtain from the medical superintendent at Grosse Isle certificates of the satisfactory discharge of their duties, their pay being made subject to deduction or stoppage for the want of such certificate. Mr. Buchanan has in his mind, no doubt, the practice in regard to our surgeons in Australian ships. We see no objection to subjecting the conduct of the surgeons to inquiry before a local tribunal on their arrival in the St. Lawrence. On the contrary, we think it might be attended with many advantages. But as they are not in the pay of the Government, but of the shipowner or charterer, we do not see how they could be subjected by law to a mulct for misconduct on the voyage, or how such a law could be enforced if passed

No. 14, 13 Feb.

passed. The necessary provision for a local inquiry into the conduct of surgeons could be made more effectually and conveniently by a Provincial Act, or a regulation of the local government, than by the Passengers Act.

6. Lastly, Mr. Buchanan adverts to the delay and difficulty which masters of vessels experience in obtaining reimbursement of expenses incurred in the rescue of shipwrecked passengers, and the consequent discouragement to such important services. As a remedy, he suggests that the collector of the port to which the rescued passengers may be conveyed should be empowered to settle these claims at a fixed scale, as in the case of shipwrecked seamen. Mr. Buchanan adverts, in his observations, to the 50th section of the Passengers' Act, otherwise we should have supposed that he had overlooked that and the two preceding sections. By the 48th section it is provided that the expense of rescuing shipwrecked passengers may be paid—if they are brought to the mother country, by the Secretary of State, if taken to a colony, by the Governor, and, if taken to a foreign country, by the British consul. Section 49 authorises the governor or consul, as the case may be, to send on to their destination any passengers landed from wrecked vessels, or otherwise, in a colony or foreign country to which they had not intended to go. And section 50 makes the expense incurred under the two preceding sections a Crown debt, to be recovered, under certain conditions, from the owner, charterer, or master of the shipwrecked vessel. As far, therefore, as the law is concerned, everything has been done, as it appears to us, to meet the case referred to by Mr. Buchanan; and if, as he alleges, great delay has occurred in the case of a ship named the "Mary Caroline," it has arisen, not from a defect of the law, but from a defect of its administration. We entirely concur with him as to the extreme injustice, and still more extreme impolicy, of allowing pecuniary loss to be incurred by the masters of ships who have exerted themselves to rescue emigrants in distress; and we would accordingly suggest that the notice of the Governor of Canada should be called to the provisions of the 48th, 49th, and 50th sections of the Passengers Act, in order that whenever a case may occur of the nature referred to by Mr. Buchanan, the claim may be discharged at once.

7. Besides the matters above referred to, Mr. Buchanan's report contains the usual statistics of the Emigration to Canada, and recommendations for the improvement of the quarantine and other local arrangements. As we propose to embody the former in our General Annual Report, now in course of preparation, and as the latter are for the decision of the local government, it is unnecessary that we should enter upon them here.

We have, &c.

(signed) *T. W. C. Murdoch.*
C. Alexander Wood.

H. Merivale, Esq.,
&c. &c. &c.

— No. 3. —

(No. 29.)

COPY of a DESPATCH from The Right Honourable Lord *John Russell* to Governor-general Sir *E. Head*.

Sir,

Downing-street, 11 June 1855.

I HAVE received your despatch, No. 45,* of the 10th of May last, accompanied by explanations from Mr. Buchanan, chief agent for immigrants, in reference to some remarks contained in the annual Report of the Emigration Commissioners for the year 1854.

Mr. Buchanan's explanations are quite satisfactory. I enclose for your information the copy of a report on the subject from the Emigration Commissioners, pointing out to what extent and in what manner some suggestions thrown out by Mr. Buchanan will be carried into effect in the Passengers Act Amendment Bill now before Parliament.

I am, &c.

(signed) *J. Russell.*

No. 3.
Rt. Hon. Lord J.
Russell to Gover-
nor-general Head,
11 June 1855.

* Page 29.

CANADA.

Encl. in No. 3.

Enclosure in No. 3.

Colonial Land and Emigration Office,
6 June 1855.

Sir,

WE have to acknowledge the receipt of your letter of the 29th ultimo, accompanied by a despatch from the Governor-general of Canada, enclosing an explanation from Mr. Buchanan on certain portions of his annual Report for 1854, to which we had called attention in our Report of the 30th of March last.

2. It appears from Mr. Buchanan's explanation, that we had somewhat misunderstood his remark in regard to the issue of a cooked meal; that his intention was to suggest the enforcement by law of a more ample dietary, similar to that given in the Canadian Steam Company's ships, and ships proceeding to Australia, which would make it unnecessary for the passengers to provide any stores of their own. We have satisfaction in stating that the suggestion, so understood, has been anticipated in the Bill now before Parliament, and we have every reason to believe that the plan of requiring the ship to find and cook all the provisions, so far from causing difficulty, will prevent a great deal of confusion, quarrelling and suffering which now occurs on board passenger ships.

3. In respect to the supply of medical comforts also, provision is made in the Bill now before Parliament, and though we think it would be scarcely practicable to provide different descriptions of dietary for different classes of passengers on board ordinary passenger ships, there would not be any difficulty in providing for those extreme cases of sickness or debility to which Mr. Buchanan refers. It is indeed with reference to those cases especially that it is proposed to put medical comforts on board passenger ships as well as medicines.

4. In regard to the difficulty which has been experienced by those who have rescued shipwrecked persons in recovering the expenses so incurred, the remarks in our report of the 30th of March last, applied exclusively to the case of passenger ships. The letter, of which he sends a copy, from the Secretary to the Governor-general to the Collector of Customs, refers apparently to the case of ordinary passengers or seamen, and not to those who come under the operation of the Passengers Act.

5. We have thought it right, in justice to Mr. Buchanan, to state the explanations which he has given of the remarks in his General Report, but it does not appear to us that any practical step now remains to be taken in these matters.

We have, &c.
(signed) *T. W. C. Murdoch.*
C. Alexander Wood.

H. Merivale, Esq.,
&c. &c. &c.

NEW BRUNSWICK.

Despatches from Lieutenant-Governor Sir E. Head, Bart.

NEW
BRUNSWICK

— No. 1. —

(No. 18.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to
His Grace the Duke of *Newcastle*.

Government House, Fredericton, New Brunswick,
6 May 1854.

(Received 22 May 1854.)

My Lord Duke,

I HAVE the honour to enclose a report from Mr. Perley, the Emigrant Officer
at Saint John, with respect to the ship "*Blanche*," from Liverpool.

It is with deep regret that I have to announce the mortality which has taken
place on board this vessel on her passage out.

The later accounts, however, from Saint John show that the disease has been
subdued, and that the present state of the passengers is on the whole satisfactory.

I enclose some of these last returns which have been forwarded to me.

I also transmit herewith the usual ship returns from Mr. Perley of the ships
"*Middleton*" and "*Blanche*."

I have, &c.

(signed) *Edmund Head*.

No. 1.
Lieut.-Gov. Sir
Head, Bart., to
Duke of Newcast
6 May 1854.

2.

Enclosure in No. 1.

Encl. in No. 1.

Government Emigration Office, St. John,
25 April 1854.

Sir,

THE packet ship "*Blanche*," 964 tons, from Liverpool to this port, still remains at the
Quarantine Station, and no communication is permitted with her. I am unable, therefore,
to visit the vessel, but have received the following information from Dr. Harding.

The "*Blanche*" sailed from Liverpool on the 20th March, having on board 309 steerage
passengers, thus described :

Male adults -	-	-	-	-	-	-	100
Female ditto	-	-	-	-	-	-	79
Males under 14 years	-	-	-	-	-	-	54
Females ditto	-	-	-	-	-	-	56
Infants	-	-	-	-	-	-	20
TOTAL - - -							309 souls.

There were on board, besides, 10 cabin passengers.

A child three years of age died as the vessel was getting out of Liverpool, and afterwards deaths were almost of daily occurrence, until two days before the vessel arrived here, as will be seen by the list of deaths enclosed, amounting to 35 in all, previous to the arrival of the vessel at quarantine. This list includes one of the crew, who died after 24 hours' illness only.

Dr. Harding is of opinion that diseases of an infectious character, both Asiatic cholera and choleraic diarrhœa, were brought on board at Liverpool, and that they were in some measure propagated during the voyage by want of cleanliness. He says that the "Blanche" was in a most filthy state when he first went on board, and the air very impure between decks.

Immediately after the arrival of the "Blanche" at the Quarantine Station on the 20th instant the passengers were all landed at Partridge Island, and placed in apartments with good ventilation; the sick were separated from the others, and made as comfortable as possible. Eight persons were placed in hospital labouring under Asiatic cholera and choleraic diarrhœa, seven of them adults, and one child. Three of the adults were severely attacked, their prominent symptoms being coldness, clamminess, lividity of the skin, with severe cramps, vomiting of rice-water appearance, and pulseless.

By careful attention and constant applications these cases soon improved, the returning pulse showing the reaction in the system. Up to this day only one male adult has died on the Island, and one child. Two males and one female (adults) are still considered dangerous, while one male and three females (adults) are now in a state of convalescence.

No new case is reported; the disease appears to be stayed. It is to be hoped that the comfortable accommodation at the Island, with the cool, dry, and bracing air now prevailing, and the pains that have been taken to bring the emigrants and their clothing to a state of perfect cleanliness, will have the effect of preventing further cases, and bring all these emigrants to a state of perfect health.

Dr. Harding remarks that disease was more fatal among the German emigrants than among those from Ireland. Of 57 German emigrants embarked at Liverpool, no less than eight died on the voyage.

I am happy to state that the most unremitting exertions have been made by Mr. M'Airty, the superintendent of Partridge Island, for the accommodation of these emigrants, and that nothing appears to have been left undone, either by him or Dr. Harding, which would add to their comfort, or tend to restore their health.

Until discharged from the Island, these emigrants do not come within my personal knowledge; and it may happen, after seeing them, that another report will be necessary. In the meantime I may state that Messrs. Reed, the packet-owners, furnish the passengers with everything Dr. Harding states to be necessary, and are ready to do all in their power for the welfare of their passengers.

I have, &c.

(signed) *M. H. Perley.*

The Hon. J. R. Partelow,
Provisional Secretary.

LIST of DEATHS on board the Packet Ship "Blanche," 964 tons, *M'Laughton* Master, on the Voyage from *Liverpool* to *St. John, New Brunswick*; sailed from *Liverpool*, 20th March, and arrived at *St. John, New Brunswick*, 20th April 1854.

1854: 22 March	-	W. Riley	-	-	-	-	Age, 3 years.
24 "	-	William Scammel	-	-	-	-	" 60 "
29 "	-	David Riley	-	-	-	-	" 40 "
31 "	-	Eliza Malony	-	-	-	-	" 1 "
1 April	-	Jeremiah Hinley	-	-	-	-	" 1 "
4 "	-	Catherine Hinley	-	-	-	-	" 4 "
4 "	-	Edwin James	-	-	-	-	" 3 "
5 "	-	Peter Morrison	-	-	-	-	" 34 "
7 "	-	George Lyons	-	-	-	-	" 3 "
8 "	-	John Mason	-	-	-	-	" 6 months.
8 "	-	Mary Hare	-	-	-	-	" 13 years.
9 "	-	John Graghan	-	-	-	-	" 24 "
9 "	-	Feraine Spinner	-	-	-	-	" 9 "
9 "	-	Ludwic Weiner	-	-	-	-	" 8 "
9 "	-	Denis Weiner	-	-	-	-	" 40 "
9 "	-	Bernard Weiler	-	-	-	-	" 38 "
9 "	-	Denis Weiler	-	-	-	-	" 46 "
10 "	-	Francis Rogers	-	-	-	-	" 35 "
13 "	-	Ellen White	-	-	-	-	" 28 "
13 "	-	Wanburgher Weimer	-	-	-	-	" 45 "
13 "	-	Matthew Mickay	-	-	-	-	" 2 "
14 "	-	Ann Snowden	-	-	-	-	" 9 "
14 "	-	Richard Hodgrove	-	-	-	-	" 40 "

1854: 14 April	-	James Graghan	-	-	-	Age, 34 years.
15 "	-	Ann Menephane	-	-	-	" 3 "
15 "	-	Bernard Weiner	-	-	-	" 40 "
16 "	-	George Snower	-	-	-	" 7 "
17 "	-	Eliza Cowan	-	-	-	" 34 "
17 "	-	John Caghan	-	-	-	" 14 "
17 "	-	James Caghan	-	-	-	" 28 "
17 "	-	Theresa Beodor	-	-	-	" 9 "
17 "	-	Matthew Weikay	-	-	-	" 2 "
17 "	-	John Henley	-	-	-	" 3 "
17 "	-	Peggy Henley	-	-	-	" Infant.
17 "	-	Marian Weiner	-	-	-	" 7 years.

NEW
BRUNSWICK

TOTAL - - - 35 Persons.

From list furnished by Dr. Harding.

25 April 1854.

M. H. Perley,
Her Majesty's Emigration Officer.Government Emigration Office, St. John,
3 May 1854.

Sir,
THE ship "Blanche," previously reported at quarantine, has come into port, and was yesterday boarded and inspected by me. The usual ship return is enclosed, and I submit the following special Report:

At the time of sailing from Liverpool the "Blanche" had on board 357 passengers, of whom 51 were English, 249 Irish, and 57 Germans.

The vessel has what is called a deck-house, the upper deck being housed over. The passengers were thus brought on two decks, the first case of the kind I have ever known here. The cholera broke out in an Irish family, on the lower deck, which must have been badly lighted, and worse ventilated; all the deaths were confined to that deck, except two, which occurred on the upper deck.

So far as I am yet informed, there was no complaint either as to the quantity or quality of the provisions and water; but the master complains of the sluggishness of these emigrants, especially of the Germans, and their unwillingness, after the disease appeared, to make any exertions to preserve or promote cleanliness. In consequence (as stated in my letter of 25th ult.) the disease was most fatal among the Germans. Out of 57 embarked, there are now only 47 surviving.

It is gratifying to state that not a single new case of cholera occurred after the vessel arrived at quarantine, and of eight cases landed at Partridge Island, of a dangerous character, only four proved fatal; 120 of the passengers came up to the city last Saturday, and 130 more will come up to-day; the rest will remain until the end of this week, being the members of families in which cholera occurred, and who are, therefore, retained for observation.

The building in the Lower Cove, formerly used as a place of worship by the Rev. Mr. Stavely's congregation (Cameronians), has been hired, and made comfortable, as lodgings could not be procured for the passengers of the "Blanche," owing to the fear of disease.

About a dozen of the Germans came up last Saturday, and on Monday situations were procured for all of them. They are from Baden, and speak no English. Mr. Trentowsky, the Prussian consul, has been very kind to them, and will lend his services in any way for their advantage.

I am informed that they all intend to remain in this province, except two, who go to Boston, to join their children settled there.

The numbers stated in my letter of 25th were incorrect, Dr. Harding having been misled by a mistake in the ship's list.

I am, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
&c. &c. &c.

Return, No. 2

English - - - 51
Irish - - - 249
German - - - 57

TOTAL - 357

NEW
BRUNSWICK.Government Emigration Office, St. John,
1 May 1854.

Sir,
I HAVE to report the arrival at this port during the month of April of the undermentioned vessels :

1854, April 3	-	Packet ship "Liberia,"	-	Liverpool	-	67 Souls.
" 5	-	" "Middleton,"	"	"	-	104 "
" 8	-	" "Lampedo,"	"	"	-	22 "
" 14	-	" "John Barbour,"	"	"	-	72 "
TOTAL - -						265 "

For the "Middleton" a ship return is enclosed ; the other vessels did not come under the provisions of the Passengers Act.

I am happy to state that there was neither sickness nor death on board these vessels, and that the passengers all landed in a healthy and satisfactory condition.

The "Blanche," now at quarantine, will come into port to-day, after which I will visit her and make a special report.

The Honourable J. R. Partelow.

I have, &c.
(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

— No. 2. —

No. 2.

(No. 21.)

Lieut.-Gov. Sir E.
Head, Bart., to the
Duke of Newcastle.
30 May 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to
His Grace the Duke of *Newcastle*.

Government House, Fredericton, 30 May 1854.

(Received 20 June 1854.)

My Lord Duke,

I HAVE the honour to enclose to your Grace the copy of a letter addressed to the Provincial Secretary by Mr. Perley, the emigrant agent at St. John, reporting the arrival at that port of the ships "Joseph Tarratt" and "Mary Ann" with passengers, all of whom appear to have been landed in good health.

I am happy to say I have not heard of any new cases of cholera at Partridge Island, St. John, and the disease, I believe, may be said to be extinct.

I am, &c.
(signed) *Edmund Head.*

Encl. in No. 2.

Enclosure in No. 2.

Government Emigration Office, St. John,
23 May 1854.

Sir,
I HAVE the honour to report the arrival of the ship "Joseph Tarrett," from Liverpool, with 394 passengers, and barque "Mary Ann," from Londonderry, with 213 passengers, for both of which vessels ship returns are enclosed.

I am happy to state that both these vessels landed their passengers in good health and cleanly condition. There was one passenger in excess in the "Mary Ann," owing to one person being secreted on board, whom the master had to feed during the voyage.

Among the passengers by the "Joseph Tarrett" were about 160 Prussians, nearly all of whom have obtained engagements in the country, although they do not speak one word of English.

Besides the two ships above reported, the following vessels have also landed passengers at this port during the present month, but not under the provisions of the Imperial Passengers Act.

May 15.	Ship "Dundonald" from	Liverpool	-	-	-	-	71 Souls.
" 17.	Brig "Minerva"	" Troon	-	-	-	-	27 "
" 19.	Ship "Barbara"	" London	-	-	-	-	34 "
" 20.	Ship "Salacia"	" Glasgow	-	-	-	-	4 "
TOTAL - - -							136 "

It

It is gratifying to be able to state the good health of all the passengers now reported; very few of them have gone to the United States; in fact, none but those who had paid their passages through to Boston before leaving Liverpool.

At the présent moment there is not in this office a single list of passengers to arrive, and I have no expectation of any more passenger vessels from Ireland. For the rest of the season the emigrants may be expected only by the regular packet ships from Liverpool.

The excessive demand for labour causes every emigrant, of whatever age or sex, to be engaged almost before landing, and small as is the number who have arrived, yet their coming has tended to keep down the price of labour, which previously had attained rates perfectly ruinous to the employer.

The Hon. John R. Partelow,
Provincial Secretary.

I have, &c.
(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.

NEW
BRUNSWICK.

— No. 3. —

(No. 27.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to
His Grace the Duke of *Newcastle*.

Government House, Fredericton, N. B., 15 June 1854.
(Received 3 July 1854.)

My Lord Duke,

I HAVE the honour to transmit herewith a copy of a letter from Mr. Perley, the emigration officer at St. John, enclosing the usual "Ship Return," and reporting the arrival at that port of the ship "Imperial," with a large number of emigrants, all of whom appear to have landed in good health.

I am, &c.
(signed) *Edmund Head*.

No. 3.
Lieut.-Gov. Sir E.
Head, Bart., to the
Duke of Newcastle
15 June 1854.

15 June 1854.

Enclosure in No. 3.

Encl. in No. 3.

Sir,

Government Emigration Office, St. John,
12 June 1854.

I HAVE to report the arrival of the ship "Imperial," from Liverpool, with 508 passengers, and enclose a ship return.

There was no sickness on the voyage among these passengers. Captain Moran and his officers deserve great credit for the cleanly state of the vessel, to which may in a great degree be attributed the very healthy condition of all on board.

I believe the "Imperial" brings a larger number of emigrants than ever arrived here before in one vessel, but her accommodations are ample, and her perfect cleanliness worthy of all praise.

These passengers are all natives of the United Kingdom, and a very large proportion of them will remain in this province.

The Hon. John R. Partelow,
Provincial Secretary.

I have, &c.
(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.

— No. 4. —

(No. 30.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to
His Grace the Duke of *Newcastle*.

Government House, Fredericton, New Brunswick,
30 June 1854.
(Received 17 July 1854.)

My Lord Duke,

I HAVE the honour to enclose a copy of a letter from Mr. Perley, reporting the arrival of the ship "Liberia" at Saint John, with passengers, and also the usual ship return.

I am, &c.
(signed) *Edmund Head*.

No. 4.
Lieut.-Gov. Sir E.
Head, Bart., to the
Duke of Newcastle
30 June 1854.

NEW
BRUNSWICK.

Encl. in No. 4.

Enclosure in No. 4.

Government Emigration Office, St. John,
26 June 1854.

Sir,

I HAVE to report the arrival at this port of the packet ship "*Liberia*," from Liverpool, with 315 passengers, and enclose a ship return.

I have pleasure in again reporting the excellent condition in which the passengers by this packet ship have come into port, and their very healthy state.

One male adult from the South of Ireland, in feeble health on embarking, died soon after sailing of diarrhœa. A fine boy of 12 years of age was drowned on the Banks of Newfoundland while fishing, by accidentally falling overboard; every effort was made to save him by the boats of the ship and the boats of a fishing vessel close at hand, but he was unable to sustain himself until the boats reached him.

The steerage passengers by the "*Liberia*" are thus classified: English, 176; Scotch, 66; Irish, 147; others, 17. About 100 of the English and Scotch have gone to the Bend to-day by the steamer "*Commodore*" to work on the railway, and others will probably follow. Very few, if any, will go to the United States.

The Honourable John Partelow,
Provincial Secretary.

I have, &c.
(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.

— No. 5. —

No. 5.

Lieut.-Gov. Head
to the Duke of
Newcastle.
2 July 1854.

(No. 32.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to
His Grace the Duke of *Newcastle*.

Government House, Fredericton, New Brunswick,
2 July 1854.

(Received 17 July 1854.)

My Lord Duke,

I HAVE the honour to enclose the Quarterly Report of Mr. Perley, emigration agent at St. John, which has just been received by me.

I am, &c.
(signed) *Edmund Head*.

1 July 1854.
Abstract Returns.

Encl. in No. 6.

Enclosure 1, in No. 5.

Government Emigration Office, St. John,
1 July 1854.

Sir,

I HAVE the honour to enclose an abstract return of Immigration to New Brunswick for the quarter ended yesterday.

All the emigrants mentioned in this return landed at the port of St. John; the deaths amount to nearly two per cent. on the whole, owing to the deaths from cholera on board the "*Blanche*," of which I have already made a special report.

This vessel arrived unexpectedly, very early in the season, while I was absent at Halifax on business connected with the fishery negotiations. My assistant, McAirty, arrived from England the same day that the "*Blanche*" anchored at quarantine, and instantly did everything that was necessary. On my return, three days after, from Halifax I found that all had been done perfectly, and no new cases occurred after the vessel came to anchor.

I mention my absence on this occasion because it is the only instance in eleven years that I have held this office that I have been absent on an emergency.

A much larger proportion than usual of the emigrants this season were from England and Scotland, and nearly one-fourth were from Germany; not more than 10 per cent. of the whole have gone to the United States; the rest have found profitable employment in this province.

The demand for unskilled labour is very great, and wages are high; the persons most wanted at present are agricultural labourers and female servants.

I have already had occasion to mention the comfortable manner in which emigrants are brought to this port from Liverpool by the semi-monthly line of packets belonging to the Messrs. Reeds and Wrights. I now advert to it for the purpose of stating, that but for these excellent packet ships the emigration to New Brunswick would be small indeed, and far below the wants of the country; five-sixths of all the emigrants arrived have come by the Liverpool packets.

There

There is not a single emigrant now at the quarantine station at Partridge Island; the buildings there are in excellent order, and everything ready in case of need.

An account of the expenses incurred in forwarding to Montreal the shipwrecked passengers landed at Richibucto will be furnished hereafter.

NEW
BRUNSWICK

I have, &c.

The Honourable J. R. Partelow,
Provincial Secretary.

(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.

Enclosure 2, in No. 5.

Encl. 2, in No. 5.

ABSTRACT RETURN of IMMIGRATION to *New Brunswick*, during the Quarter ended
30th June 1854.

Months Composing the Quarter.	Number of Vessels arrived.	Number of Deaths on the Voyage, or in Quarantine.	Number of Births on the Voyage, or in Quarantine.	Adults.		Children between 14 Years and 1 Year.		Children under 1 Year.		TOTALS.		Whole Num- ber.	RECAPITULATION.
				M.	F.	M.	F.	M.	F.	M.	F.		
April - -	4	-	-	116	51	37	43	12	6	165	100	265	Adults - - - 930 562
May - - -	8	39	-	478	276	141	145	26	22	645	443	1,088	Between 14 years } 288 293
June - - -	3	2	1	336	235	110	105	24	15	470	355	825	Under 1 year - - 62 43
TOTALS	15	41	1	930	562	288	293	62	43	1,280	898	2,178	TOTALS - - - 1,280 898
													Two thousand one hundred and seventy-eight souls.

Government Emigration-office,
St. John, New Brunswick,
1 July 1854.

M. H. Perley,
Her Majesty's Emigration Officer.

— No. 6. —

(No. 2.)

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to
the Right Honourable Sir *George Grey*, Bart.

Government House, Fredricton, N. B.

8 July 1854.

(Received, 1 August 1854.)

Sir,

I HAVE the honour to enclose a copy of a letter addressed by Mr. Perley, the
Emigration Officer at St. John, reporting the arrival of the "Jessie," with
passengers.

The Ship Return is also enclosed in this despatch.

I am, &c.

(signed) *Edmund Head*.

No. 6.

Lieut.-Gov. Sir *E. Head*, Bart., to the
Right Hon. Sir *George Grey*, Bart.

8 July 1854.

5 July 1854.

NEW
BRUNSWICK.

Enclosure in No. 6.

Enclosure in No. 6.

Government Emigration Office,
St. John, 5 July 1854.

Sir,

I HAVE the honour to report the arrival of the ship "Jessie" from Youghal, with 78 passengers, all in good health.

The ship return is enclosed.

Among the passengers by this vessel are 11 boys and 10 girls from the Foundling Hospital in the city of Cork. All the girls are already engaged as servants, and I anticipate placing the boys with tradesmen as apprentices.

I am, &c.

(signed) *M. H. Perley.*
Her Majesty's Emigration Officer.

The Hon. J. R. Partelow,
Provincial Secretary, &c. &c.

— No. 7. —

No. 7.

(No. 7.)

Lieut.-Gov. Sir E.
Head, Bart., to the
Right Hon. Sir G.
Grey, Bart.
12 August 1854.

COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to the Right Honourable Sir *George Grey*, Bart.

Government House, Fredricton, N. B.

12 August 1854.

(Received, 28 August 1854.)

Sir,

I HAVE the honour to enclose the reports of the Emigrant Agent at St. John, and the ship returns relating to the following vessels: "Eudocia," "Middleton," and "Mimer."

I have, &c.

(signed) *Edmund Head.*

4 August 1854.
7 August 1854.

Encl. 1, in No. 7.

Enclosure 1, in No. 7.

Government Emigration Office,
St. John, 4 August 1854.

Sir,

I HAVE to report the arrival of the packet ship "Eudocia" from Liverpool with 272 passengers, and the packet ship "Middleton," also from Liverpool with 78 passengers.

For these vessels ship returns are enclosed.

It is very gratifying at this time, when so great a panic exists with reference to cholera in this city, that passengers by these fine packet ships arrived in excellent health and without even a suspicion of sickness among them.

I have, &c.

(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
Provincial Secretary, &c. &c. &c.

Encl. 2, in No. 7.

Enclosure 2, in No. 7.

Government Emigration Office, St. John,
7 August 1854.

Sir,

I HAVE to report the arrival of the Swedish brig "Mimer," from Londonderry, with 133 passengers, and enclose a ship return.

It is exceedingly fortunate that these passengers enjoyed good health during the voyage, and landed here in excellent condition.

The vessel was unusually clean on arrival.

I have, &c.

(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

The Hon. John R. Partelow,
Provincial Secretary,
&c. &c. &c.

No. 10.

— No. 8. —

(No. 9.)

NEW
BRUNSWICK.

No. 8.

Lieut.-Gov. Sir E.
Head, Bart., to the
Right Hon. Sir G.
Grey, Bart.
12 August 1854.COPY of a DESPATCH from Lieutenant-Governor Sir *E. Head*, Bart., to
the Right Honourable Sir *George Grey*, Bart.

Government House, Fredericton, N. B.,

22 August 1854.

(Received, 12 September 1854.)

Sir,

I HAVE the honour to enclose a copy of a letter from the Emigrant Agent at St. John, with a ship return, reporting the arrival of the packet ship "David G. Fleming," with passengers.

I have, &c.

(signed) *Edmund Head*.

Enclosure in No. 8.

Enclosure in No. 8.

Government Emigration Office, St. John,

17 August 1854.

Sir,

I HAVE to report the arrival of the packet ship "David G. Fleming," from Liverpool, with 125 passengers, and enclose a ship return.

These passengers landed to-day in excellent health and condition, after the usual inspection and purification at Partridge Island.

It is a matter of the most heartfelt gratification that passengers arrive this season in such excellent health, and entire freedom from sickness.

I have, &c.

(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.The Hon. J. R. Partelow,
Provincial Secretary.

— No. 9. —

(No. 18.)

COPY of a DESPATCH from Lieutenant-Governor the Honourable *J. H. T. Manners Sutton* to the Right Honourable Sir *George Grey*, Bart.Government House, Frederickton,
New Brunswick, 10 October 1854.

(Received, 6 November 1854.)

Sir,

I HAVE the honour to enclose a copy of a letter from the Emigration Agent at St. John, with a ship return, reporting the arrival of the barque "Mary Ann," with passengers.

I have, &c.

(signed) *J. Henry T. Manners Sutton*.

Enclosure in No. 9.

Enclosure in No. 9.

Government Emigration Office, St. John,

14 September 1854.

Sir,

I HAVE to report the arrival of the barque "Mary Ann," from Londonderry, with 104 passengers, all in good health, and enclose a ship return.

The packet ship "John Bannerman," of the Black Ball line, arrived yesterday from Liverpool, with 59 steerage and 10 cabin passengers, not sufficient to bring the vessel under the requirements of the Passengers' Act.

The passengers were in the best condition on arrival, having had good fare and ample accommodation.

The packets of the Black Ball line now decline bringing such number of passengers as will subject the vessels to the provisions of the Passengers' Act. The owners allege that the expensive requirements of that Act as now enforced in England, and the restrictions imposed by the Board of Health here, render the carriage of passengers unprofitable, unless a full complement can be secured.

I have, &c.

(signed) *M. H. Perley*,
Her Majesty's Emigration Officer.The Hon. John R. Partelow,
Provincial Secretary.

NEW
BRUNSWICK.

— No. 10. —

No. 10. ANNUAL REPORT OF THE EMIGRATION AGENT, NEW BRUNSWICK.

To His Excellency the Honourable *J. Henry T. Manners Sutton*, Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick,
&c. &c. &c.

May it please your Excellency,

HEREWITH I have the honour to submit the annual abstract of immigration to New Brunswick during the year 1854.

	Souls.	
1853 - -	3,762	1. The whole number of immigrants during the year, was 3,618 souls, being
1854 - -	3,618	a decrease in the year 1853, of 144 souls.

Decrease -	144	2. There were 41 deaths on the voyage and in quarantine during the season, being one and one-eighth per cent. on the numbers embarked; but the deaths were all confined to one vessel, the "Blanche" from Liverpool, on board which cholera broke out during the voyage. The particulars of this case have been already specially reported.
------------	-----	---

3. All the immigrants of 1854 were landed at the port of St. John, and nearly all from the admirable packet ships of the Liverpool line, arriving semi-monthly with much regularity. Not a single death or casualty occurred on board these ships, nor has it been necessary to place one of them in quarantine.

4. The emigration being almost confined to these Liverpool packets, well fitted, furnished and provided, and commanded by efficient masters of the better class, there has not been the slightest occasion for a prosecution under the Passengers' Act. The provisions of that Act are so well adapted to remedy and prevent the evils which formerly existed, that prosecutions must become rare, and only in very flagrant cases, not likely to occur often.

5. Not more than 10 per cent. of the immigrants of the past season have left the province. Those that departed, consisted chiefly of such persons as had friends in the United States or Canada, by whom their passage-money had been paid, and whom they came out expressly to join.

6. In the early part of the past year, the demand for labour was very great, and rates of wages extravagantly high. The depression in the prices of ships and timber, consequent upon the war in Europe, has abated the demand for labour, and reduced wages very considerably in the ship-yards, saw-mills, and timber ponds. In the country there has been a steady call for labour throughout the year, at fair rates of wages. Female servants and farm labourers are much wanted throughout the province, and large numbers of these are needed to meet the absolute requirements of the country. The demand in the rural districts for boys, from 12 to 18 years of age, continues unabated.

7. A "Hand-book of Information for Emigrants to New Brunswick," has been recently printed at my expense, copies of which are herewith submitted. I beg especially to refer to this Hand-book for the advantages which New Brunswick presents, either to the labouring classes, or to persons possessing means who wish to become settlers in this flourishing portion of British North America.

8. I cannot conclude this report without reiterating the complaint I have made annually for several years, against the difficulties and delays attending the acquisition of Crown land by intending settlers. I now earnestly entreat that some change may be made in a system which I have every reason to believe has deterred, and continues to deter, many persons of the most desirable class from purchasing, and becoming settlers in this province.

Respectfully submitted,

(signed) *M. H. Perley,*

Her Majesty's Emigration Officer.

Government Emigration Office,

St. John, New Brunswick,

2 January 1855.

Enclosure

Enclosure in No. 10.

ABSTRACT RETURN of IMMIGRATION to *New Brunswick*, during the Year ending 31 December 1854.

QUARTERS.	Number of Vessels arrived.	Number of Deaths on Board, or in Quarantine.	Number of Births on Board, or in Quarantine.	Adults.		Between 14 Years and 1 Year.		Under 1 Year.		TOTALS.		Whole Number of Souls.	RECAPITULATION.	
				M.	F.	M.	F.	M.	F.	M.	F.			
Quarter ending 31 March	-	-	-	-	-	-	-	-	-	-	-	-		
” ” 30 June	-	15	41	1	930	562	288	293	62	43	1,280	898	2,178	Adults - - - - 1,509 998
” ” 30 Sept.	-	11	-	-	400	305	114	96	13	14	527	415	942	Between 14 and 1 year - 486 466
” ” 31 Dec.	-	9	-	-	179	131	84	77	16	11	279	219	498	Under 1 year - - - 91 68
TOTALS	-	35	41	1	1,509	998	486	466	91	68	2,086	1,532	3,618	TOTALS - - - 2,086 1,532
													Whole number, Three thousand six hundred and eighteen souls.	

Government Emigration Office,
St. John, New Brunswick,
1 January 1855.

(signed) *M. H. Perley,*
Her Majesty's Emigration Officer.

EMIGRATION (NORTH AMERICA).

COPIES OF EXTRACTS OF DESPATCHES relative
to EMIGRATION to the NORTH AMERICAN
COLONIES (in continuation of Papers pre-
sented April 1854)."

(*Mr. John Ball.*)

*Ordered, by The House of Commons, to be Printed,
7 August 1855.*

464.

Under 8 oz.

CORRESPONDENCE

UPON THE SUBJECT OF

EMIGRATION

FROM

CHINA.

Presented to the House of Lords by Command of Her Majesty.
1855.

LONDON:
PRINTED BY HARRISON AND SONS.

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Correspondence upon the subject of Emigration from China.

No. 1.

Mr. Merivale to Mr. Addington.—(Received September 16.)

(Extract.)

Downing Street, September 15, 1853.

I AM directed to acquaint you, for the information of the Earl of Clarendon, that the Emigration Commissioners took advantage of the simultaneous presence in this country of Mr. White, Emigration Agent in China, Dr. Bowring, Consul at Canton, and Dr. Winchester, First Assistant in the Consulate at Amoy, as well as of Sir Henry Barkly, on his return from the Government of British Guiana, to hold various conferences on the best mode of adding to the security and efficiency of Chinese emigration. Inclosed is a copy of the Commissioners' report of the result of those conferences.

Great difficulty, it will be observed, was felt in devising any plan which should be free from objection, for attempting to establish a general control over all emigration from China in British vessels, whatever might be their destination. The Commissioners describe, in paragraphs 7 and 8, two projects of law which had been thought of for the purpose, but without undertaking themselves to recommend their adoption. The Duke of Newcastle did not feel prepared to advise the proposal of such laws to Parliament.

But I am desired to state that, in accordance with the general opinion expressed by all the officers practically acquainted with the subject, the Duke of Newcastle has directed that emigration to the British West India Colonies should be conducted solely under the management of a responsible agent, and has instructed that agent to use every exertion to make Hong Kong the common starting-place for Chinese emigrants proceeding to the West Indies, only leaving him discretionary power to have recourse to Amoy, if it should be found indispensable, and if there should be no reason to apprehend any abuses or disturbances there, or any collision with the Chinese authorities.

I am desired to inclose, for Lord Clarendon's information, the copy of a despatch addressed on this subject to the Governors of Jamaica, British Guiana, and Trinidad, which will put his Lordship more fully in possession of the mode in which it is proposed that the Chinese emigration to the West Indies should be conducted.

Inclosure 1 in No. 1.

The Colonial Land and Emigration Commissioners to Mr. Merivale.

*Colonial Land and Emigration Office,
July 27, 1853.*

(Extract.)

1. WE beg to offer the following report on the future conduct of Chinese emigration.

2. Under directions from the Colonial Office, we have communicated
[255] B 2

with Sir H. Barkly, the late Governor of British Guiana; Mr. White, late Emigration Agent in China; Dr. Bowring, late Superintendent of Trade in that country; and Dr. Winchester, First Assistant in the Consulate at Amoy; and we annex the copy of a letter on the subject of Chinese emigration, which embodies the views of the latter gentleman, in which Dr. Bowring concurs.

3. We will first report on the general emigration from China which is carried on in British ships, and next on that which is carried on to and at the expense of the West Indian Colonies.

4. The abuses which have attended the general Chinese emigration, especially to Cuba and Peru, need hardly be specified. It is alleged that great malpractices are resorted to in the collection of emigrants on shore; that on shipboard they are ill fed, ill treated, and grossly overcrowded; and that they are treated like slaves in some of the countries to which they are taken.

5. It would appear difficult to deal with abuses which take place in collecting foreign emigrants in a foreign country, having its own political and judicial organisation, and jealously alive to any interference with that organisation. Nor do we observe that Dr. Winchester, in the annexed paper, recommends any such interference. Whether practicable or not, it does not seem to be a matter on which this Board could offer any useful suggestions.

6. In order to secure that the emigrants are properly treated on the voyage, Dr. Winchester suggests—first, that heavy penalties should be imposed on British ships taking emigrants from any other port in China than those which are or may be open to trade with foreign countries; and secondly, that British ships proceeding from these last-mentioned ports should be brought within the Passengers Act. And as it is highly conceivable that disputes may arise out of this emigration which may bring foreigners into collision with the authorities or people of China, he further proposes that the Superintendent of Trade should be invested with the power of prohibiting emigration altogether from any given port, if emergencies should arise requiring such a step.

7. The effect of enforcing any rigid regulations at the legal ports of China might be to drive British ships to unauthorized ports where they would be still less under surveillance than they now are at Amoy. And this probability is strengthened by the fact that the tumults at Amoy have already produced an emigration from the unauthorized parts of Namoa and Cumsingmoon. How far the force at the disposal of the Superintendent of Trade or British Consuls is sufficient in any supposable state of the law to prevent such a result, is a matter on which we can form no judgment. But assuming it to be sufficient, and therefore that a law passed for regulating emigration from the open ports, and prohibiting it from all others would not be a dead letter, we do not doubt that an Act of Parliament for that purpose would be extremely beneficial. It is true that Her Majesty possesses unlimited power of legislation by Order in Council for her subjects resident within China under the Act 6 & 7 Vict., cap. 80; but regulations imposed under this Act would be only enforceable within 100 miles of the coast, and therefore not in any British Colony which the ship might reach, or on the high seas where she might be stopped by British cruisers. The British Passengers Act, however, would require modification in its application to China.

11. The power of temporarily suspending emigration in British ships, with which it is proposed to invest the Superintendent of Trade, might operate to deter the better class of shipowners from engaging in a trade liable to such a risk. But we feel a difficulty in offering any opinion on a proposal which apparently rests very much on a political necessity, that of guarding our relations with China from disturbance.

12. With regard to Dr. Winchester's further proposal, that emigration in British vessels to foreign slave-colonies (in which emigration the great abuses have occurred) should be prohibited, we would observe, first, that in cases of determined fraud, such a prohibition would probably be evaded by a system of false clearances; and next, that most embarrassing ques-

tions must arise as to the form of slavery or degree of ill-treatment which would justify us in preventing emigration to this or that foreign country.

15. In treating of the West Indian emigration, we should, perhaps, commence by stating what has already been done. Three ships have arrived in British Guiana and two in Trinidad; the subjoined table shows the numbers embarked in each, the number of deaths, and the number landed alive.

Ships.	Embarked.	Deaths.	Landed.
BRITISH GUIANA.			
Glentanner	305	43	262
Lord Elgin	154	69	85
Samuel Boddington	352	52	300
	811	164	647
TRINIDAD.			
Australia	445	13	432
Clarendon	254	3	251
	699	16	683

Besides which, the "Lady Flora Hastings," calculated to carry about 320 emigrants, has left China for Trinidad, and the "Emigrant" for Demerara. We regret to learn, however, that the "Emigrant" has been detained at Hong Kong by a fever which has broken out.

16. The British Guiana emigration is purely on bounty; that to Trinidad under our agreement with Messrs. Hyde, Hodge, and Co. The "Glentanner" and "Lord Elgin" fell under no Government inspection whatever. The remaining ships were more or less inspected, though without any legal power of interference, by Mr. White.

17. Both in British Guiana and Trinidad the emigrants appear to have given great satisfaction to their employers. Sir H. Barkly, in his despatches of the 26th of February and 3rd of May last, describes them as intelligent and energetic, with great respect for authority, and a perfect appetite for earning money by labour. And the letters inclosed in Lord Harris' despatch of the 22nd of April last give the same account of their intelligence, willingness, and aptitude for work. And there seems every reason for hoping that they may prove as valuable in the West Indies as they have in the Eastern Archipelago, where they are described as carrying prosperity with them wherever they go.

18. Trinidad has not applied for any more emigrants; but British Guiana has applied for 1,500, and we are informed that 2,000 have been promised to Jamaica. If the wish of the Court of Policy of British Guiana is acceded to, we shall therefore have to take measures for the emigration of 3,500 adults from China. In recommending the emigration, however, it is necessary to take such steps as shall disjoin it, as far as possible, from abuses, shall avoid the risk of collision with the Chinese people or authorities, and shall secure proper treatment of the emigrants on the voyage.

19. With all these objects, the Court of Policy of British Guiana, and the West India Committee, concur in desiring that Mr. White should resume his post of Emigration Agent in China; and the West India Committee are desirous that his salary should be increased to 1,500*l.*, which is the present salary of Mr. Caird; Mr. White, on his part, engaging to remain in China till the 3,500 Chinese now ordered are dispatched to British Guiana and Jamaica.

20. In these recommendations of the West India Committee, we beg to express our concurrence. The extremely precarious nature of the

employment would render it very difficult to find a person ready to accept it, who united the qualifications of tact and activity with knowledge of the wants of the West Indies, and of the circumstances of Chinese emigration, and who also had the advantage of possessing the confidence of the West Indian body. And it is most important for the success of an undertaking on which so much depends that Government emigration, at its commencement, should be superintended by a gentleman possessing these advantages. We may also point attention to the circumstance that, of the three ships dispatched after his arrival in China, two reached their destination with a very trifling mortality, while the third was dispatched under circumstances so unfavourable as to afford no fair test of the advantages of Government supervision, if indeed such supervision can be said to have taken place. In the ships dispatched without any such superintendence, it will be seen that the mortality was deplorable.

21. We would submit, therefore, that Mr. White should, for the present, receive the same salary as the Emigration Agent at Calcutta, whose operations, though no doubt of much greater magnitude, are also much less delicate than those entrusted to Mr. White.

22. If Mr. White returns to China as Emigration Agent, it is agreed by all with whom we have communicated that the head-quarters of the emigration should be placed at Hong Kong, and that ships should be solely dispatched from thence, until circumstances should render it practicable, without risk of abuse, to resume Government Emigration from Amoy. This was the unanimous opinion of Dr. Bowring, Dr. Winchester, and Mr. White, and, we believe, of gentlemen concerned in the West Indies.

23. A difficulty, however, will arise from the operation of the English Passengers Act.

24. The space required for immigrants by the Indian law, and actually allowed to coolies emigrating to Mauritius or the West Indies, is 12 superficial feet per statute adult; but the Passengers Act requires, in voyages through the tropics, 15 feet. This Act has, of course, no effect in Chinese ports, and therefore the emigration could be there carried on on the footing of the Indian law. But in Hong Kong, as in all British Colonies, the English Act is in force, and would have the effect of reducing the complement of ships employed in the Chinese emigration by no less than 25 per cent., and, we are informed, of raising the cost of passage 2*l.* or 3*l.* per adult—a very material consideration when a transaction affecting 3,500 emigrants is in question.

25. We have before adverted to this question, and had hoped, before reporting upon it, to have obtained some decisive experience of the Chinese emigration. But this is not the case. In the three ships sent to British Guiana a great mortality occurred; but of these, the first and second had long and harassing voyages, leaving China during the south-west monsoon, the second and third carried a greater number of passengers than was allowed even by Indian law, and also suffered from bad water and damaged rice. From these voyages, therefore, no sound inference can be drawn. On the other hand, the “Australia,” which took emigrants to Trinidad with the allowance of 15 feet per adult, lost a very small proportion of passengers, and might be adduced as showing the advantage of that rule. But in the “Clarendon,” where the emigrants had only 12 feet each, the deaths were in a still smaller proportion, being little more than 1 per cent.

26. The Committee in British Guiana who examined into the case of the “Lord Elgin,” recommend generally an adherence to the Passengers Act; but we do not find that Mr. Barkly considers the Indian law inadequate, and it will be seen that Dr. Winchester, who has a knowledge of the Chinese, considers the allowance of 12 feet in a ship 6 feet high to be sufficient. It should be added, that in the cooly emigration the mortality has usually proceeded from specific causes, unconnected with crowding or ventilation, and gives no reason for supposing that the space now allowed is insufficient.

27. On the whole, therefore, we see no sufficient reason for adopting a different rule in the Chinese and Indian emigrations; and we would suggest that the space required should be reduced to 12 feet.

28. We are aware that much disappointment will be experienced by

those who are urging this emigration, unless these inconveniences can be removed.

29. The questions, therefore, which arise, are:

(1). Whether Mr. White should be reappointed Emigration Agent on the terms above described?

(2). Whether the emigration should be confined to Hong Kong, with a power (perhaps with the concurrence of the Superintendent of Trade) to extend it to Amoy?

(3). Whether the space required may be reduced to 12 feet per adult by Act of Parliament?

30. On these questions the gentlemen connected with the West Indies are extremely anxious to obtain an immediate decision, as it is evidently important that Mr. White should be enabled to leave England by the next India packet (the 4th of August), and that before that time an endeavour should have been made, if possible, to take up shipping. The north-west monsoon, which blows from September to March, inclusive, is the only season during which it is advisable to carry on emigration, and if 3,500 emigrants are to be dispatched, the commencement of operations ought, if possible, not to be deferred till the middle of October, as they would be if Mr. White were detained till the end of next month.

31. The remaining points of importance which require notice (for we do not trouble the Duke of Newcastle with questions of pure detail), are the furnishing interpreters, and the obtaining women.

32. On the former point we can only trust to the Emigration Agent to do what is possible. A few may possibly be obtained at the Missionary and Government Colleges at Penang and Singapore. But from all we hear, it is a matter of great difficulty, even on the Chinese coast, to obtain the services of trustworthy English who can really speak Chinese, or trustworthy Chinese who have a competent knowledge of English. Mr. White is fully alive to the necessity of obtaining such persons, and of course will be authorized to incur the necessary expense.

33. With regard to women, Dr. Bowring and Dr. Winchester deprecate in the strongest manner any attempt to set on foot a purely female emigration. They say that such an attempt could only result in a wholesale purchase and shipment of prostitutes; that it would be in violent opposition to Chinese law and custom, and might very probably lead to collision with the Chinese authorities; and finally, they state their anticipation that the presence of such women on shipboard would lead to the most violent quarrels among the male emigrants. All this, even independently of the authority on which it rests, our own experience of emigration would lead us readily to believe. But Drs. Bowring and Winchester do not see the same objection to encouraging the emigration of females as wives to the male emigrants by some special bounty. They do not indeed think that attempts of this kind will lead to much result, female emigration (except of the least creditable kind) being wholly unprecedented; and they urge, with obvious justice, the necessity of caution in any steps of this kind. As, therefore, Mr. White is not without hopes that such an emigration may be gradually set on foot through Hong Kong, we think that he should be authorized to embrace any opportunity that might offer of inducing emigrants to take out wives with them, even though for that purpose a considerable increase should be necessary of the customary advances to male emigrants, which now amount to two months' wages *i.e.*, eight or ten dollars.

34. We annex printed copies of Mr. White's proposed notices to the Chinese, forms of agreement and instructions to captains of vessels and surgeons, which appear to be drawn up with care and judgment. We are not aware, however, that they call for any comment from us.

Inclosure 2 in No. 1.

Dr. Winchester to Dr. Bowring.

(Extract.)

Oriental, July 22, 1854.

IT appears that the present object of the West Indian interest is to confine the proposed emigration for the next season to the port of Hong Kong. There seems to be no reasonable objection to this, provided the parties abstain from attempting to embark females.

Hong Kong is certainly quite as much, if not more suitable as a station than either Macao or Cumsingmoon.

The Passengers Act empowers the Governor of Hong Kong to establish such changes in the scales of accommodation and diet as the peculiar nature of the emigration will require.

The acts of the parties carrying it on will be under the supervision of the magistrates. Arrangements for imparting full information to the coolies brought by the native agents from the mainland may be easily enough made.

I think that the objections to the embarkation of females are insurmountable.

The families of emigrant Chinese never have hitherto accompanied them; any one acquainted with Chinese habits of thought and dispositions will at once see the improbability of any attempt being successful or productive of other ends than trouble and dissension. It is true a few women might be obtained, but in what manner and of what class? They must be bought outright in the stews of Hong Kong, Macao, and Canton. I do hope that Government will not permit its Colonial agents to enter into the market for the purchase of prostitutes. Such a practice would throw disgrace and opprobrium on the whole scheme and the English name in the eyes of the Chinese.

A few details as to the way in which the numbers of this unhappy class are kept up, will disclose considerations more than sufficient to deter the Government from allowing their agents to tamper with this matter. Female children are little valued by the Chinese, and among the poorer labourers are considered an incumbrance, many of whom are got rid of by infanticide, but many more are sold at various stages of infancy to bawds and other nefarious characters.

Some few, when grown up, are sold as concubines and second wives to Chinese; others, and by far the greater number, are either let or sold to houses for purposes of prostitution. A perusal of the judicial proceedings in the Hong Kong papers will lead to a full acquaintance with the accidents and accompaniments of this system. I have read many cases similar to the one I am about to detail:—A was indebted to B, and being unable to pay, made over his concubine to him, in pledge, for a term of years; B did not retain her in his own family, but let her out for the term to C, who took her to an establishment in Hong Kong. A follows his concubine, and complains to the English magistrate that his wife is illegally detained from him; and on inquiry, the facts of the case came out. In this way, there are three liens on this wretched woman. It is in this system that it is proposed to mix up the English name.

Hong Kong is at too great a distance to be suitable as a dépôt for emigration from Fokien; and if it were not so, it would not be desirable to use it as such. The disputes and dissensions between the people of the two provinces, consequent upon the general dislike entertained by all other Chinese to the Cantonese; their clan feuds; the great difference of dialect;—would render it highly dangerous to embark them together in the same vessel. It does appear to me, however, that under certain provisions the emigration might be safely as well as profitably resumed at Amoy.

These provisions involve our prohibiting the employment of English vessels in the transport of Chinese emigrants to foreign slave Colonies; and I propose putting down, as shortly as may be, a few of the reasons which seem to require this restraint, as well those which have reference to

the just and fair treatment of our own Colonies, and such as are consequent on the barbarous and dreadful scenes which have been acted under the sanction of our flag.

1st. English vessels taking emigrants to our dependencies are amenable to colonial regulations equivalent to the restrictions of the Passengers Act, which even now the proclamation of the Governor may put in force against them at Hong Kong; whereas English vessels carrying emigrants to Cuba are under no limits or regulations as to numbers, diet, water, medical treatment, &c., except at Hong Kong, where they will take good care not to load or anchor.

2ndly. Emigration to English colonies under the English flag will only be permitted at Hong Kong and the four northern ports under the sanction of Government, whereas Namoa and other places are and may be resorted to by English vessels seeking coolies for Cuba, no power to prevent them having hitherto been exercised. In this way, all the superior facilities consequent on the employment of the English flag, are made to work out an unfair advantage to a foreign slave-holding community.

3rdly. All the odium arising from the cruelties, disturbances, and bloodshed in English vessels carrying emigrants to foreign Colonies, is attached generally to the English name. As long as this practice is allowed, the Chinese are not in a position to distinguish between the two emigrations. They believe that emigration in one English ship is the same as another; and I have no doubt that this prohibition would enable them to separate in their own minds the systems so essentially distinct, and increase their belief of the superior advantages to be found in the English Colonies where their labour is wanted.

4thly. We owe it essentially to humane consideration, that men received on board English vessels as passengers shall be properly treated. We do not enforce this in reference to the emigration to Cuba. If the restrictions of the Passengers Act were extended to English vessels sailing from the dominions of the Emperor of China with coolies to Cuba, &c., they would be in no worse position than English vessels taking men to our own Colonies.

5thly. From the statement of Her Majesty's Consul-General in Havana, it appears that the Chinese immigrants are considered and treated as slaves.

Should this be the case, it becomes a duty to prevent our ships and subjects engaging in the promotion of a service allied to slavery and the Slave Trade. If the Chinese emigrants have been subjected by vice-regal proclamation to the treatment or condition of slaves, the contracts made with them in Amoy have been signally violated. In three years, the first contract emigrants by the "Duke of Argyle" and "Oquendo" will have completed the term of their indenture. It will be most desirable to direct the Consul-General to watch narrowly if, after its expiration, the Chinese are allowed to carry their labour into the market as freemen, or are compelled to enter into further agreements.

Such are the reasons, and they are certainly not without weight, which raise the question as to the propriety of allowing foreign emigration from China under the British flag. I need scarcely say that the chance of collision between the subjects of the two Governments would be much narrowed by this prohibition. The character of responsible emigration agents, like Mr. White, is a guarantee against those gross improprieties which led to bloodshed in the streets of Amoy.

I need scarcely say, that the remarks made in reference to female emigration apply perhaps with greater intensity to Amoy. I think this matter is not of so much consequence, or rather in a few years will not be of so much consequence, as gentlemen connected with the West Indian interest seem to apprehend. I have no doubt the Chinese will readily amalgamate with the females they find in the country they are going to. They have no feelings of caste to restrain them in this direction, as the Hindoo coolies have. The natives of India in the Straits never intermarry with the Malays, whereas in three or four generations the Malay-Chinese females have become so numerous as to afford a sufficient supply for the Chinese population.

The ultimate character of the emigration will greatly depend on the reports the original emigrants bring back of the Colonies. If they return in good circumstances, the example will not fail to be rapidly caught up by the needy about them. It appears to me that the Local Legislatures would do well to afford occasional facilities to a few of the best behaved labourers to return. This might be made strictly a reward of good conduct, without creating anything like an obligation to provide return passages.

I am of opinion that twelve feet superficial would be a fair allowance of room during the transport of the coolies to the West Indies.

Inclosure 3 in No. 1.

Mr. Macgregor to the Colonial Land and Emigration Commissioners.

*West India Committee Room, 12, Old Jewry,
July 27, 1853.*

Gentlemen,

WITH reference to the communications that have taken place relative to the arrangements for conducting the emigration from China to the West India Colonies next season, I have now the honour to state, as the opinion of this Committee, that considering the great importance of having a well-qualified agent, the cost of living at Hong Kong, and the prevalent unfavourable rate of exchange there, Mr. White's services ought to be engaged forthwith at a salary of 1,500*l*.

I have, &c.

(Signed) A. MACGREGOR.

Inclosure 4 in No. 1.

*The Duke of Newcastle to the Governors of Jamaica, British Guiana, and
Trinidad.*

Sir,

Downing Street, September 10, 1853.

1. I HAVE to acquaint you that advantage was taken by the Emigration Commissioners of the simultaneous presence in this country of Mr. White, Emigration Agent in China, Dr. Bowring, Consul at Canton, and Dr. Winchester, First Assistant in the Consulate at Amoy, to hold various conferences on the best mode of adding both to the security and to the efficiency of Chinese emigration. At some of these conferences the Emigration Commissioners had also the valuable assistance of Sir H. Barkly's presence. I inclose, for your information, extracts, containing the material parts relative to the West Indies, of a Report which the Emigration Commissioners addressed to me at the close of these conferences.

2. I have sanctioned the re-appointment of Mr. White to be Emigration Agent for the West Indies in China, and also the increase of his salary, which has been recommended by the West India Association, from 1,200*l*. to 1,500*l*., this last being the remuneration of the Emigration Agent at Calcutta. In authorizing these steps, I have felt no doubt that I have been consulting the general wish of gentlemen interested in the West Indies, owing to the confidence which they have displayed in the judgment and ability of Mr. White.

3. Different circumstances have, I understand, hitherto retarded his departure, but it is intended that he should now start by the very first opportunity.

4. It appears desirable in every point of view, and is recommended by all the officers who are practically acquainted with the subject, that Hong Kong should, if possible, be made the common starting-place for all Chinese emigrants bound to the West Indies. Mr. White will be directed

to use every effort for that purpose, leaving him, however, a discretionary power to have recourse to Amoy, if it should be found indispensably necessary, and if there should be no reason to apprehend any abuses or disturbances there, or any collision with the Chinese authorities.

5. But the Commissioners explain, you will see, that there can be no chance of establishing this service at Hong Kong if the provision of the British Passengers Act, which required fifteen superficial feet for every passenger conveyed through the tropics, should be kept in force at that place. This provision was undoubtedly introduced into the law chiefly with a view to the wants of passengers of the European race sailing from the United Kingdom. In the East Indies, where the Passengers Act does not apply, the Legislative Council of India have only required a space of twelve feet for every coolie conveyed to the West Indies: and a long and extensive experience has shown that no sickness on the part of the coolie emigrants can be assigned to this cause. I therefore introduced into Parliament a Bill, which has since passed into law, empowering the Governors of the Colonies to declare by proclamation that in ships sailing from places in their respective Governments a space of twelve instead of fifteen feet should suffice for natives of Asia or Africa who were to be conveyed through the tropics. I have requested the Governor of Hong Kong to make use of the power conferred upon him by this Act, and to declare by proclamation that, at all events for the season of the north-east monsoon, an allowance of twelve superficial feet for each passenger should be sufficient.

6. The procuring of interpreters, and also, if possible, of an admixture of females amongst the emigrants from China, are both of them objects of importance, and both surrounded by many difficulties. Mr. White will be directed to give to each of them his earnest attention, and to do the best which circumstances will admit.

I am, &c.
(Signed) NEWCASTLE.

No. 2.

The Earl of Clarendon to Sir George Bonham.

Sir,

Foreign Office, September 19, 1853.

YOU will learn from the Secretary of State for the Colonial Department, in your capacity as Governor of Hong Kong, the system under which it is at present intended that the arrangements for procuring Chinese emigrants for the British Colonies should be conducted; and it is therefore only necessary that I should refer you to the communications on the matter which you will receive from the Colonial Department.

I am, &c.
(Signed) CLARENDON.

No. 3.

Mr. Merivale to Mr. Addington.—(Received March 29.)

(Extract.)

Downing Street, March 28, 1854.

I AM directed by the Duke of Newcastle to transmit to you, for the information of the Earl of Clarendon, a copy of a letter from the Colonial Land and Emigration Commissioners, transmitting copies of a correspondence with Mr. White on the subject of Chinese emigration to the West Indies.

Inclosure 1 in No. 3.

*The Colonial Land and Emigration Commissioners to Mr. Merivale.**Colonial Land and Emigration Office,
February 25, 1854.*

Sir,

1. WE beg to inclose copies of two letters which we have received from Mr. White, with the answer which we have returned to those letters. It is not possible, however, that this answer can be received before the emigration has practically terminated.

2. It will be seen that little chance exists of chartering ships in China, but that Mr. White has authorized Messrs. Tait and Co. to send one or two vessels (if they can be procured) from Namoa—a step which we cannot refrain from regretting.

3. It appears to us that no better course can be adopted for commencing a healthy female emigration than that adopted by Mr. White; but we do not feel very sanguine of his immediate success.

4. We trust that next year, being at liberty to advertise for shipping at a far earlier period, we shall be able to secure a supply of European surgeons.

5. The emigration is as yet of so uncertain a kind, that we could not recommend that the expense of constructing a dépôt should be incurred. But we think it might be very desirable to obtain the opinion of some Government officer on the spot; and we would suggest that if the emigration proceeds, the Governor would be instructed to direct the Surveyor-General, or some other competent officer, to place himself in communication with Mr. White on the subject respecting the expediency of such a step, the expense which would be necessary, and on any means which Government might possess for facilitating the construction of a building adequate for the purpose.

(Signed)

T. W. C. MURDOCH.
FREDERIC ROGERS.

Inclosure 2 in No. 3.

Mr. White to the Secretary to the Colonial Land and Emigration Commissioners.

(Extract.)

Hong Kong, December 10, 1853.

SINCE I had the honour of addressing you by last mail, several vessels have arrived, suitable for the emigration service; but they have all been taken up at rates very far exceeding those which I am authorized to give, and are principally under charter for California.

2. As an instance of the high rates of freight now current, I may mention that Mr. Comstock, agent on behalf of the Panama Railway Company (of whom I made mention in my last), offered a few days ago 70 dollars for the conveyance of labourers to Panama, and to put 700 on board, the charterer finding water, and fittings, and everything necessary. The vessel (the "Wilhelmsburgh") registers 900 tons, and according to the English Passengers Act could not carry more than 450 emigrants. But 700 passengers at 70 dollars each, is equivalent to 450 at 109 dollars; and this latter is the sum I would have to offer, in order to place matters on a par. In addition to the freight for the emigrants, the charterer engaged, if required, to furnish a cargo of guano from Peru for New York. The whole offer has however been declined, and the vessel is now under charter for California. This statement will show the Commissioners how little prospect there is of procuring shipping for the West Indies during the present season.

3. As it is possible that some stray vessels may call in at Amoy, without knowledge of the high freight current here, I have authorized Messrs. Tait and Co. to take them up on my account; and I annex copy of the letter I have addressed them on the subject. I effected this

arrangement only on the condition required by them, that they should receive a commission for placing emigrants on board (from Namoa), and although this is contrary to my expressed wish, that the emigration should be conducted from Hong Kong, I thought it best to accede to it under present circumstances, for I see little prospect of getting vessels in Hong Kong; and if I had rejected the proposal made to me by Messrs. Tait and Co., I would lose the chance of any vessels that might arrive at Amoy, for they would unquestionably be taken up, under a similar engagement, for the Cuban emigration.

4. If emigration is to be carried on from this port continuously (or at least for a few years) and systematically, and in a manner creditable to the Government, it is absolutely necessary to have a *dépôt*. Here emigrants may be collected, and be prepared for embarkation, so that no delay shall arise when the vessel is ready to receive them; and here they will be protected from the possibility of fraud on the part of the collecting agents. The present method of bringing them together two or three days before the vessel leaves, and then shipping them off, without sufficient preparation or inquiry, leaves open the door for all manner of abuses, in spite of the best exertions of the emigration agent. But the establishment of a *dépôt*, whether afloat or on shore, will be attended with some expense, and with the little prospect there is of obtaining shipping this season, I do not wish to incur any expense that may be avoided, without having the previous sanction of the Commissioners. A hulk, such as would answer the purpose of a *dépôt* afloat, will cost at present from 3000*l.* to 4000*l.* The town of Hong Kong, at the foot of an abrupt hill, offers few conveniences for building; and I have been unable to find any place but one suitable for the purposes of a *dépôt*. This place comprises three lots of land (on which there are buildings now in a nearly ruinous condition, as the parties to whom they belonged have allowed them to lapse to the Crown, rather than pay a heavy ground rent), and is nearly three acres in extent, and situated on the shore of the bay. The Surveyor-General informs me that the three lots may be had for 300*l.* a-year, but they cannot be made available for the purposes of a *dépôt*, until the Governor, who resides at present in a house adjoining one of these lots, shall have removed into the new Government house now in course of erection. The repairs to the old buildings, and the erection of the new ones that may be required will, on a rough calculation, cost from 1,000*l.* to 1,500*l.* If emigration from China is likely to be carried on for a few years, I recommend the establishment of a *dépôt* afloat or on shore (the latter only as being the most economical); but if it is to be uncertain and desultory, the expense of a *dépôt* may be saved. And in this case the emigrants required may be obtained as well through the agency of a respectable mercantile house, as by the instrumentality of a Government agent.

5. No emigration from China will be safe or satisfactory, until some of those who have left return with favourable accounts of the West Indies; and till this takes place, the respectable Chinese will continue to regard this emigration with suspicion and distrust. If the accounts be favourable, the emigration may become, to a great extent, self-supporting; for thousands will be eager to emigrate, and will gladly undertake to pay at least a portion of the passage money as soon as their confidence has been secured.

6. I have already stated, frequently, that I see no prospect of procuring women, except by purchase, direct or indirect. If the Government will authorize me to advance money for this purpose, I have no doubt of success. Girls of respectable connection may be obtained for about 40 dollars, of 10 to 15 years of age; and I propose to pay this amount to a few of the more respectable emigrants, and leave them to make their own arrangements on condition of their marrying the women before the departure of the vessel. When favourable accounts are brought from the West Indies, by returned Chinese emigrants, it may become unnecessary to resort to this method to procure women and children; but until that takes place, if my information be correct, there is no probability of obtaining women, without purchase; for such is the universal custom of the country.

8. There is no prospect of obtaining a European surgeon. None can be obtained here, and the vessels from Australia, California, and India do not bring any. If I succeed in procuring vessels, I shall have to dispatch them with Chinese surgeons instead, and if it be made imperative for the future that European surgeons must be employed, it will be necessary to make arrangements for this purpose in England. Upwards of 40,000 Chinese have left this for California without surgeons (except their own), and I am not aware that any epidemic has broken out, or that any untoward accident has occurred to mar the success of a single voyage. Almost everything depends on the captain; and the surgeons likely to be picked up here, are men whose services would probably be of little or no value. The surgeon of the "Emigrant," who was engaged at a high salary for the voyage to Demerara, died of delirium tremens from sheer drunkenness, a few days after the voyage had been abandoned.

9. As to emigration generally, I see no reason to doubt that any number of people may be obtained that the resources of the West India Colonies may afford.

That portion of the Cuban emigration which is established at Macao is, except as to the overcrowding of the vessels, on a satisfactory footing, and is likely to be of a permanent character.

An extensive and increasing emigration is going forward to California. Numbers of Chinese return from there, and go back again after having made such purchases as they think likely to yield profit. Hardly a week passes without vessels arriving from and leaving for San Francisco, so that the intercourse is regular and well established. There are now in harbour two English vessels of considerable size, which have been purchased by Chinese expressly for this trade, and a line of packets has been lately established by a respectable firm, with vessels advertised to sail at stated periods. The emigration to California may, therefore, be considered as thoroughly well established, and as likely to increase yearly, at least for some years to come.

As yet little or nothing has taken place in emigration to Australia; but as a few Chinese have recently returned from there, and have brought with them a good deal of gold, it is expected that emigration will set in to Australia in the same manner as to California.

The Peruvian Consul at Canton has recently issued a notice, "that the Peruvian Government conceive it undesirable to encourage the importation of Chinese coolies into Peru, and will henceforth decline to enforce the observance of any contracts that may be entered into between shippers and coolies." This will in all probability check the shipment of labourers to that quarter.

The "Sea Witch" (American) is now in harbour, and proceeds shortly to Namoa, to take labourers for the Panama railway. Her upper deck has been housed over from the mizen forwards, so that she will carry nearly as many passengers on this deck as on her 'tween deck, and, in all, many more than would be permitted by the English Passengers Act. The agent for the Company has not been able to charter any vessels here, although he is authorised to give very high terms for the conveyance of labourers. The "Sea Witch" was chartered at New York, and was fitted out there for her present occupation.

Inclosure 3 in No. 3.

Mr. White to Messrs. Tait & Co.

Sirs,

Hong Kong, December 9, 1853.

IF any vessels arrive at Amoy suitable for the emigration service I shall feel obliged by your taking them up on my account, for the conveyance of 500 to 600 emigrants to British Guiana, and a similar number to Jamaica; the first vessel to go to Jamaica. The ship to provide wood, water, and the necessary fittings, and a European surgeon, if one can be

obtained, and the amount to be paid must not exceed 14*l.* 1*s.* sterling, or 70 dollars, for every emigrant landed. I name this sum as the maximum, and trust you will be able to procure freight at lower rates.

You are aware of the stringent provisions of the English Passengers Act, and I must urge you not to employ any vessel that is not unexceptionally seaworthy, and in every way suited for the comfortable conveyance of emigrants. They must be carefully surveyed.

I wish these vessels to take emigrants from Namoa, and if you will inform me when a vessel has been chartered, I will, if possible, meet her at that place.

I have arranged with your Mr. Tait as to the commission you will be entitled to charge for this service, and also as to the probable outlay for local charges, and for provision and clothing to the emigrants, amounting in the aggregate to 24 dollars; and if two months' wages, or 8 dollars, be paid in advance, the total sum required per man will be 32 dollars, which sum I shall be prepared to advance as soon as I am informed that a vessel has been taken up for the service.

The provisions must be of the best quality, and the supply of water abundant; but on this and other points connected with the emigration, I will write hereafter.

To obviate the inconvenience and dissatisfaction that appears to have arisen in the West Indies by deducting 1 dollar a-month from the wages of the emigrants, so as to refund to the Colonies the 8 dollars advanced here, I think it would be well, instead of having any reference to these 8 dollars in the contract, merely to stipulate that, for the first eight months after their arrival, they will be entitled to receive as wages (exclusive of food, &c.) only 3 dollars a-month, after which they will be placed on the full allowance of 4 dollars. Interpreters are absolutely necessary.

I am, &c.

(Signed) JAMES T. WHITE.

Inclosure 4 in No. 3.

Mr. White to the Secretary to the Colonial Land and Emigration Commissioners.

Sir,

Hong Kong, December 26, 1853.

1. NOTHING of any interest connected with emigration has occurred since I had the honour of addressing you on the 10th instant.

2. Very few vessels have arrived, and these all under previous engagements, so that the rates of freight are fully as high as they were, and as there is a great deal of Chinese produce on hand, waiting for shipment, it is probable that they will go even higher.

3. No vessels have been taken up here, either for Panama, Peru, or Cuba, but M. Jorgé has purchased another vessel (now at Manilla, under the French flag) for the Cuban emigration.

4. As an indication of the high rates of freight now current, I may mention, that a vessel being required for the conveyance to England of the invalids of the 59th Regiment, tenders were called for in the usual form, but only one vessel was offered (the "Enterprise"), and the rate required 45*l.* per man. Last year the rate was 30*l.* This tender was rejected, but an arrangement has since been made by which the rate per man is reduced to 40*l.*, the difference being made up, or nearly so, by the freight payable on stores that are to be sent home, and by other concessions.

5. Upwards of 800 Chinese have returned from California since the 10th instant. A passenger on board one of the vessels that brought 300 informs me that they appeared, all of them, to have plenty of money, and that they stated their intention of returning to California as soon as they had seen their friends and enjoyed the festivities of the New Year. The return of Chinese under such favourable circumstances must naturally stimulate emigration to that quarter, and the communication is now so certain and so frequent that it cannot fail to become of considerable importance.

6. Subjoined is a memorandum furnished to me by M. Jorgé of the three vessels dispatched by him at the close of the last emigration season. It is singular that the mortality was least on board of the vessel that was most crowded.

				Tons.	Coolies.	Died.
Sophia	..	..	..	240	250	17
Viaganté	..	..	..	..	300	51
Victoria	..	..	..	500	400	53
					950	121

The mortality on board of the "Viaganté" was caused by scurvy, which broke out ninety days after leaving this, and he attributes it entirely to the negligence of the captain.

The mortality on board the "Victoria" he attributed to her being dispatched "too late in the season; about the end of March."

7. He has made arrangements for this season with parties residing at Anjer, and at the Cape of Good Hope and St. Helena, to furnish his vessels with whatever provisions or supplies may be required; and he makes it imperative upon the captains to call at Anjer for fresh vegetables and pigs, and at the Cape of Good Hope or at St. Helena, or at both, if necessary, for the same purpose, taking sheep at the Cape instead of pigs. These arrangements are good, and might be adopted with advantage in our West Indian emigration; for the various breaks in the voyage, and the frequent supply of fresh vegetables and water, must conduce to the health, comfort, and cheerfulness of the emigrants.

8. Difficulties, however, occur in spite of his precautions and care. By late advices from Singapore, I learn that the "Adamastor," of 400 tons, dispatched by M. Jorgé for Cuba in last October, with upwards of 300 coolies on board, had put into that port, the captain being compelled to this step under the threat of losing his life. The coolies deserted the ship immediately after her arrival, and the voyage was necessarily abandoned.

9. Incidents such as this deter captains from embarking in the emigration service. And to show the general feeling that prevails on the subject, I annex the copy of a letter from the consignee of the "Jamestown," to whom I had made an offer for the conveyance of emigrants to Jamaica.

10. The proper season for emigration is passing away so rapidly, that I have taken upon myself the responsibility of offering 80 dollars for the passage of emigrants to the West Indies. This sum, payable on arrival, is equal to 16*l.* 13*s.* 4*d.* The provisions, clothing, and local charges will amount to about 25 dollars, which, at the current high rates of exchange, will not be less than 6*l.* 6*s.* 8*d.*, making in all 23*l.* This is an amount beyond which the Commissioners would not, as I apprehend, authorise me to advance, nor would any such advance be sanctioned by the Local Governments.

I have, &c.
(Signed) JAMES T. WHITE.

Inclosure 5 in No. 3.

Mr. Hubbett to Mr. White.

Sir,

Canton, December 10, 1853.

INFORMED through Captain Moore you are very desirous of getting forward coolies to Jamaica, and ready to pay very liberally, considering the scarcity of tonnage, I am induced to solicit an offer for the "James-

town." I send this by express boat, as time is an object, and the voyage for this ship already marked out for Manilla; still your offer may be an object for me to abandon the latter, therefore you must send me your very best terms, as on receipt of same I shall either accept them, or close my despatches to Captain Moore for Manilla.

Let your offer be very clear; say dollars per head for 500, or as many more as the ship can take in her 'tween decks.

Freight to be paid on the number shipped, less 2 per cent. in the event of any mortality, amounting to more than that per-centage; and no further abatement in any case, not excepting the possibility of the ship stopping on the voyage and the men escaping.

Ship to find water and fuel, and to be dispatched on the 1st January, or sooner if possible.

Freight to be paid in Spanish dollars, on arrival of the ship at Jamaica.

It is unnecessary to send me an offer coupled with receiving freight on the number of coolies landed, as it will not be considered for a moment.

So much has been said of your readiness to pay a ship more liberally than present rate of freights will yield, I shall be most happy to abandon the Manilla voyage of the "Jamestown," and meet you promptly: but remember the last clause, as I cannot take the slightest risk of being disappointed in the out-turn of the freight.

As the post-boat may give me your reply earlier than the bearer of this can return, better write by it.

I have,, &c.

(Signed) H. W. HUBBETT.

Inclosure 6 in No. 3.

The Secretary to the Colonial Land and Emigration Commissioners to Mr. White.

*Colonial Land and Emigration Office,
Park Street, Westminster, February 24, 1854.*

(Extract.)

I AM directed by the Colonial Land and Emigration Commissioners to acknowledge your letters of the 10th and 26th December last.

The Commissioners regret much that you should have been unable to procure any shipping for emigrants for the West Indies. They entirely approve of your having increased your offer to 80 dollars a-head. They also fully approve the proceedings which you propose to take in regard of obtaining women, understanding your intention to be this: that as wives are, in fact, obtained by purchase in China, you will furnish some of the emigrants procured by you with the means of effecting marriages in this the usual manner, taking care that the connexion thus formed is one of a nature as legitimate and obligatory as the law and usage of China renders possible.

With regard to your intention to employ native surgeons, the Commissioners cannot but feel much apprehension, especially observing the large mortality which has taken place in two out of the three ships dispatched by M. Jorgé to Cuba. They trust that if you find yourself forced to have recourse to this class of persons, you will have spared no pains to secure as capable a person as can be obtained.

The Commissioners would not as yet feel at liberty to sanction the expenditure of money in a dépôt. The emigration from Hong Kong is at present experimental, not a single cargo of emigrants having been yet collected at that port. The Commissioners are glad to observe that you anticipate no difficulty in obtaining emigrants; but they do not think so large an expense (which does not appear to be indispensable) should be incurred, at least till those anticipations have been tested by experience. There is, however, one point in your proceedings to which the Commissioners cannot advert without great regret. Your instructions authorise you to dispatch emigrants from Hong Kong, or, if necessary, from Amoy. But you state that you have entered into an engagement with Mr. Tait for dispatching vessels from Namoa. Emigration from Namoa is, as you

are aware, in direct violation of our Treaties with China; and on that account, when emigration was set on foot from that port last year, it elicited an immediate remonstrance from the Foreign Office. The Commissioners trust, therefore, that no emigrants will have been dispatched from that or any other locality which is not legally open to British trade.

The Commissioners have perused with much interest the account which you give of the emigration to Cuba and other destinations.

They are glad to perceive that a stop has been put to an emigration alleged to be connected with so many abuses as that to Peru.

Inclosure 7 in No. 3.

Mr. Merivale to the Colonial Land and Emigration Commissioners.

(Extract.)

Downing Street, March 17, 1854.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 25th ultimo, transmitting copies of two letters from Mr. White, reporting his proceedings in connexion with the emigration of Chinese to the West Indies, together with the copy of the answer you have returned to Mr. White.

I am to acquaint you in reply, that the Duke of Newcastle approves of your answer to Mr. White; and his Grace has directed the Governor of Hong Kong to instruct the Surveyor-General of that Colony to place himself in communication with Mr. White respecting the establishment of a depôt, in the case of the continuance of emigration, and to report his opinion respecting the expediency of such a step.

No. 4.

Mr. Addington to Mr. Merivale.

(Extract.)

Foreign Office, April 4, 1854.

I HAVE laid before the Earl of Clarendon your letter of the 28th ultimo,* inclosing correspondence between the Colonial Land and Emigration Commissioners and Mr. White, the agent employed in China, to procure Chinese coolies for the West Indies.

Lord Clarendon directs me to request that you will state to the Duke of Newcastle, that he has seen with surprise the deliberate disregard shown by Mr. White for the Treaty engagements between Her Majesty and the Emperor of China, and for Her Majesty's Order in Council of the 24th of February, 1843, in sanctioning the repair to Namoa for the purpose of embarking coolies of a vessel chartered by him; and Lord Clarendon cannot consider an expression of regret on the part of the Commissioners as sufficient to mark the disapprobation of Her Majesty's Government of so irregular a proceeding. It will be impossible for Her Majesty's servants in China to enforce the observance by British subjects of the Treaties between the two countries, and of Her Majesty's Orders in Council for giving effect to them, if a person in the employment of the British Government is suffered to take upon himself to disregard them altogether.

Lord Clarendon directs me further to state, that he has read with great alarm the plan proposed by Mr. White for procuring female emigrants, which appears to his Lordship to afford an opening for the greatest abuses, and in fact to set on foot a trade little different from the Slave Trade.

It is notorious that no respectable Chinese woman will voluntarily expatriate herself; and the offer of a bounty to Chinese men to procure women to accompany them is calculated, Lord Clarendon apprehends, to lead to most mischievous results. It may be perfectly true that in China, as in some other countries, marriage may be a matter of bargain and sale; but Lord Clarendon conceives that it is very desirable that the

British Government should take no part, directly or indirectly, in such transactions.

Lord Clarendon will transmit to Sir John Bowring copies of the inclosures in your letter; but he will point out to him at the same time that for any infringement of the Treaties between Great Britain and China, and of the Orders in Council for carrying them into effect, Mr. White, though in the employment of Her Majesty's Government, is equally with other British subjects responsible.

No. 5.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, April 5, 1855.

I TRANSMIT to you herewith, for your information, a copy of a letter and its inclosures from the Colonial Office respecting Mr. White's proceedings as agent for procuring Chinese coolies for the West Indies, and a copy of the answer which I have directed to be returned to it.*

It is impossible not to view with some alarm Mr. White's plans for obtaining female emigrants; and I have to instruct you to pay particular attention to this point, and to report to me whether there is any probability of respectable females being induced to emigrate from China, now that the disposition of the male population to emigrate is so strongly manifested, without the parties who engage in promoting their emigration appearing to afford, directly or indirectly, countenance to a trade partaking of the character of the Slave Trade.

Considering the tenour of Mr. White's letters, and his avowal of his having deliberately consented that a vessel chartered by him should repair to Namoa, I think it right to state to you that Mr. White's character as an agent acting for the British Colonies will not screen him from being, equally with other British subjects, responsible for any infringement of the Treaties with China, and of the Orders in Council for carrying them into effect.

I am, &c.

(Signed) CLARENDON.

No. 6.

Mr. Merivale to Mr. Hammond.—(Received June 26.)

Sir,

Downing Street, June 12, 1854.

I AM directed by the Duke of Newcastle to transmit to you, for the information of the Earl of Clarendon, with reference to Mr. Addington's letter of the 4th April, the inclosed copy of a report from the Commissioners for Colonial Lands and Emigration, explaining the views which they entertain of the proposal made by Mr. White, the Emigration Agent in China, for making advances to Chinese emigrants to enable them to purchase women in marriage, according to the customs of their country. The Commissioners advert also to the dissatisfaction expressed by Lord Clarendon at the insufficiency of the notice taken by them of the unlawful proceedings adopted by Mr. White for dispatching vessels from Namoa, and they point out that they had expressed great regret at this proceeding, reminding Mr. White that it was in direct violation of Treaties, and expressing their trust that no emigrants would be dispatched from that or any other port not legally open to British trade.

Mr. White is on his way back to this country, and it is not intended that he should be employed again. Any other agent who may be sent out will be duly apprised that, if he should knowingly and contrary to his instructions adopt any proceedings in violation of the Treaties with China, he will be held, equally with any other British subject, amenable to the law.

Lord Clarendon will observe that the Commissioners desire to be favoured with his Lordship's authority in confirmation of the views which they entertain of the admissibility of proceedings for the collection of emigrants elsewhere than at the legalized ports, for the purpose of being embarked at Hong Kong, where it has been proposed to form an emigration depôt. It is by means of such a depôt whither emigrants may be drawn from the Chinese territory, and whence they may be shipped from British ground, and under British authority, that it is conceived the emigration can be carried on successfully without abuse or disorder, and free from risks of collision with Chinese authorities. But it must be some time before Chinese desiring to emigrate, will learn to find their way to Hong Kong of their own accord, without suggestion, information, or assistance, and no objection appears to be made by the mandarins to the collection of emigrants either at the legalized ports or elsewhere.

The observations of the Commissioners on the proposal for offering bounties on married couples, or advances to emigrants to enable them to marry, appear to the Duke of Newcastle to be deserving of Lord Clarendon's fullest consideration. It is stated by the Commissioners that women of the large-footed class are habitually bought by procuresses as slaves, and either hired out as prostitutes or sold as wives. It is possible that these women through their ignorance may desire rather to remain in China as slaves and prostitutes than to be married and free in a British Colony: and it will, perhaps, be contended that it is right and proper to respect their preference. But if so, they will remain in their own country, subject to every species of pernicious restraint and oppression in order that they may be spared a constraint which would be for their benefit and for their best interests.

I am directed to inclose to you, for Lord Clarendon's information, a copy of a despatch which his Grace has addressed to the Governors of Jamaica, British Guiana, Trinidad, and Mauritius. His Grace thinks it necessary to warn the Colonies concerned in the emigration from the east that it cannot be permitted to proceed upon the present footing as to the disparity of the sexes.

I am, &c.

(Signed) HERMAN MERIVALE.

Inclosure 1 in No. 6.

The Colonial Land and Emigration Commissioners to Mr. Merivale.

*Colonial Land and Emigration Office,
May 2, 1854.*

(Extract.)

1. WE have to acknowledge your letter of the 20th ultimo, inclosing one addressed by Mr. Addington to Mr. Peel respecting certain proceedings, or rather intentions, of Mr. White, the emigration agent in China.

2. As this letter appears to imply a censure on the sentiments which we are understood to have expressed, we think it necessary to offer some explanations on the points referred to in it.

3. Mr. White had proposed to embark coolies at Namoa, which is not one of the authorized ports. After animadverting on this proposal, Mr. Addington states that Lord Clarendon cannot consider an expression of regret on the part of this Board as sufficient to mark the disapprobation of Her Majesty's Government at this proceeding, and notices the evil consequences which must result from suffering a person in the employment of the British Government to disregard altogether the Treaties between England and China.

4. We presume that these expressions in Mr. Addington's letter refer to the second paragraph of our report of the 25th of February, in which, after noticing Mr. White's intention, we merely characterized it as "a step which we could not refrain from regretting." But we cannot help thinking from the concluding expression of the paragraph that Lord Clarendon's attention could not have been drawn to the terms of our letter to Mr. White which forms one of the inclosures to the above report, and in which we meant certainly to convey a decided censure as

to the past, and an unqualified prohibition of dispatching emigrant ships from Namoa, or any other unauthorized port for the future. Our words were as follows:

"There is, however, one point in your proceedings to which the Commissioners cannot advert without great regret. Your instructions authorize you to dispatch emigrants from Hong Kong, or, if necessary, from Amoy; but you state that you have entered into an engagement with Messrs. Tait, for dispatching vessels from Namoa. Emigration from Namoa is, as you are aware, in direct violation of our Treaties with China, and on that account, when it was set on foot from that port last year, it elicited an immediate remonstrance from the Foreign Office. The Commissioners trust, therefore, that no emigrants will have been dispatched from that or any other locality which is not legally open to British trade."

5. We hope, however, that in condemning the dispatch of any vessels under Government authority, from the neighbourhood of Namoa, it is not intended also to prohibit the shipment at Hong Kong, by the Government agent, of emigrants obtained by persons acting under agreement with him, from that or other parts of China. Such a prohibition would confine the operations of those who contracted to furnish emigrants to the great seaport towns, at which, we need hardly say, the least well-disposed, healthy, and (for the purpose of agricultural work) serviceable emigrants are likely to be procured. Amoy is the spot where the greatest abuses have taken root, and from which some of the worst bodies of emigrants have been shipped. Of Whampoa, Macao, or Cumsingmoon, Sir J. Bowring writes,* that the coolies shipped there "would probably be the veriest dregs of the Canton population, and would very probably require a guard to preserve subordination." While of Namoa, Commander Fishbourne, in his report on the malpractices and injustice prevalent at Amoy, writes as follows:†

"26. I visited Namoa, or more properly the anchorage in the Shantow or Swatow river, but there were no vessels, except the opium vessels; two, however, had been there, and they took about 500 coolies.

"27. I was informed by Mr. Gerard, of Dent and Co.'s house, that there were no cooly brokers; that the coolies flock down in hundreds to go with the consent of the mandarins, and that it was necessary to have cooly sheds. He further said, that frequently in his walks he was accosted by men anxious to emigrate, and indeed we had not arrived many minutes when two men came off and offered themselves.

"28. They appeared to be a much better description of people, and Captain Guard said there was not nearly so much disease amongst them as amongst those at Amoy, and that they were quite astonished at the amount of provisions provided for them."

6. It is fair to add, that Mr. Harvey‡ who visited Namoa with Commander Fishbourne, suggested that competition would arise between the merchants, and before long give rise to some catastrophe; but on the other hand this prediction, which was made on December 22, 1852, has not at present been verified.

7. We trust, therefore, for the sake of the character, and indeed safety, of the emigration, that it will not be thought requisite to confine the operations of collection, as well as the dispatch of ships, to the great ports.

8. The question of a female emigration is a far more anxious one. The overpowering necessity for such an emigration in the present cases, arises from the fact that the form of depravity which is to be anticipated from a purely male emigration, already exists among the Chinese, and we can scarcely doubt that the absence of females would ultimately accumulate an amount of vice which would be intolerable.

9. The immediate supply of any large number is no doubt impossible.

* Parliamentary Papers, August 20, 1853, page 19.

† Ibid., page 89.

‡ Ibid., page 44.

Every emigration not carried on by a wholesale compulsion, must, we apprehend, in its outset be male. Neither in China, India, nor England, can any large number of females, still less of respectable females, be persuaded to leave their country till their new home has been tested by an emigration of those who are more able to face the dangers of the experiment. In China this feeling amounts to a superstition, which is but slightly, if at all, giving way* to an increased knowledge of foreigners and facility of conveyance. But we must not shrink from stating our conviction that the present emigration ought not to be carried on at all, if we are to give up the hope that a female emigration may follow it at no distant period, and that every year during which that emigration is deferred, involves great moral evils.

10. In treating this question, therefore, we are to consider (if the emigration is to go on) not whether any particular proposal is open to objection, which is unfortunately inevitable, but what steps the Government is authorized, and, if authorized, bound to adopt, to arrest or mitigate a pressing danger.

11. We have endeavoured, both from the reports printed for Parliament, and from communications with those conversant with the country, to ascertain the real position of females in China, without which the difficulties of the case can hardly be appreciated. We are told that a Chinese, even of the labouring class, is usually betrothed as a child by his parents to a girl who ultimately, but by no choice of his own, becomes his wife. This first wife is of the small-footed or "respectable" class; but there is another class of women—the large-footed—who are principally slaves. These are also taken as additional wives by those who have the means of purchasing and supporting them, and the marriages thus contracted, we understand to be of as permanent a nature as those which follow on betrothal.

12. But the state of Chinese society and morals is such, that a large number of females (who would otherwise probably be destroyed) are purchased before they are of an age to know their parents—otherwise, as a Chinese observed to us, they would run away home—by procuresses, and are brought up with a view to being either sold as wives, or hired as prostitutes. This wretched trade appears scarcely to be considered as degrading in China, and we are informed that a Chinese who has the requisite means, will, without hesitation, proceed to an establishment of this kind, and purchase a wife from it, without reference to her previous life.

13. Such being the habits of the country, we are told that it is highly improbable that parents would sell their children for expatriation, but that a Government bounty upon married couples would no doubt give occasion to purchases and marriages of this kind. And whatever may be thought of the state of morality which renders this possible, we cannot but point out that, as far as the woman is concerned, the result will be to raise her from the state of slavery under Chinese, to that of freedom under British law, and from such prospects as were then before her to the position of a wife. Nor is such a transaction open to the objection to which even the redemption of slaves in Africa is justly liable, namely, that it is an indirect and powerful premium on first reducing them to slavery. If it had any effect at all of this kind, it would operate to discourage infanticide.

14. We cannot help hoping that these considerations will be held to constitute a substantial difference between the proceedings recommended by Mr. White and the Slave Trade.

15. But the particular point to which we are anxious to draw the Duke of Newcastle's attention is this,—female emigration appears to us a moral necessity. The emigration of the only class of women who are not objects of purchase in China is not to be expected. The direct agency of Government in purchasing any is of course out of the question, and much more that wholesale purchase of women, of which the idea has been more

* Parliamentary Papers, August 20, 1853, page 28, Mr. Parkes's letter. Sir John Bowring, p. 23.

than once thrown out. Almost equally impossible is it that any emigrant who from the nature of the case is a pauper, should be or have been able to procure a wife of the lower and purchaseable class. If, therefore, emigrants may not receive from Government the means of obtaining wives according to the custom of their country, it is difficult to see what escape is in prospect from the mischiefs of a male emigration.

16. We presume that the letter of Mr. Addington will be considered as closing the question for the present; but we hope that if we are instructed to appoint an emigration officer at Hong Kong, we may be allowed to direct him to inquire carefully into the subject, and to report whether, in his opinion, any means exist of commencing female emigration generally, and in particular whether it would be possible to enable emigrants to obtain wives without running the risk of inflicting on the women expatriation without their consent, in which risk we presume the similarity between the proposed transaction and the Slave Trade consists.

17. The question of course occurs, whether an emigration which presents an alternative of such difficulties should be continued at all? Nor would it be easy to rest under the responsibility of conducting it, but for considerations, which though obvious, we would venture to call to mind.

18. As regards China, this emigration is to transfer thousands, and may result in transferring hundreds of thousands, from a country in which the pressure of population renders famine not unfrequent, and female infanticide habitual, to one in which their physical well-being is, humanly speaking, certain; and where we may venture to hope they will be brought within the reach of fresh influences from law and religion.

19. As a matter of commercial interest, the Chinese in the East are represented as, by their industry, carrying prosperity with them wherever they go; and every account confirms the hope that they may be of the greatest value in supporting West Indian cultivation, which it would seem impossible to support without immigration from the East.

20. And anything which supports that cultivation has far more than a commercial value, as the abandonment of estates now so long in progress not only risks a relapse of the negroes into barbarism (of which it is alleged that symptoms are already discernible in the remoter parts of Jamaica), but tends materially to encourage the production of sugar by slave labour.

Inclosure 2 in No. 6.

The Duke of Newcastle to the Governors of Jamaica, British Guiana, Trinidad, Mauritius, &c.

(Extract.)

Downing Street, June 12, 1854.

I INCLOSE for your information copies and extracts of a correspondence* between this Office, the Foreign Office, and the Commissioners for Emigration, arising out of a proposal made by Mr. White, the Emigration agent in China, to procure female emigrants from that country by making advances of money to male emigrants for the purchase of women in marriage according to the customs of China.

You will perceive that the Earl of Clarendon regards the proposal with great alarm as involving the instrumentality of the British Government in promoting the sale of Chinese women for expatriation without their consent, and that the Emigration Commissioners defend it on this ground, amongst others, that in China female children are habitually either destroyed or sold as slaves to procuresses to be brought up as prostitutes, and that it were better they should be sold in marriage to be taken to a free country.

When an agent shall be again sent to China, he will be instructed to report, on the one hand, whether the offer of a bounty to men who have been enabled to marry from their own resources will be available to procure the emigration of married couples, or on the other whether the offer of a bounty in advance to male emigrants to enable them to marry, can be

* No. 3 and Inclosures, No. 4, No. 6, and Inclosure 1 in No. 6.

so guarded as to ascertain that marriages shall not take place, in virtue of the advance, without the consent of the woman to the marriage and to the emigration.

I send you this correspondence in order that you may be aware of the very serious questions which are arising out of the disproportion of the sexes in the emigrations from Asia hitherto effected or set on foot.

It is necessary to apprise you that unless the difficulties of redressing this disproportion can be in one way or another overcome, the emigration cannot be permitted to proceed. Her Majesty's Government cannot incur the reproach of forming over again in the West Indies and Mauritius such male communities as were formed in the earlier part of this century in Australia.

So long as the emigrants went to the West Indies to labour for a term of five years, and no more, with a purpose, to be duly executed, of returning to their country and families at the end of that term, the evil of being unaccompanied by their wives, great as it was, might not be regarded as intolerable. But first the practice was adopted of inducing the coolies to commute their back passages and engage themselves to remain for a second period of five years; and next the Court of Directors sanctioned an original contract for a ten years' residence, and the result must be expected to be that the greater number of the East Indian emigrants will never return, whilst the Chinese, who make no stipulation to have a back passage provided for them, will also in all probability settle in the Colonies to which they are brought.

These facts and prospects give an importance to the disproportion of sexes, which it is impossible any longer to overlook, and unless that disproportion can be rectified it will be indispensable that the emigration should be brought to a speedy termination, deeply as that necessity would be to be lamented.

No. 7.

Mr. Hammond to Sir George Bonham.

Sir,

Foreign Office, June 28, 1854.

I AM directed by the Earl of Clarendon to transmit to you, for your perusal, the accompanying correspondence* between this office and the Colonial Department respecting the proceedings of Mr. White, the Emigration Agent employed in China to procure Chinese coolies for the West Indies.

Lord Clarendon considers that it is of the utmost consequence that the emigration of Chinese labourers should not be discontinued, but that it is equally important that it should be conducted under proper regulations, and that the evils resulting from a disparity of the sexes should as far as possible be prevented; and I am to request that bearing these points in mind, and the probable operation of establishing a depôt at Hong Kong, you will favour his Lordship with your opinion upon the inclosed papers.

I am, &c.

(Signed) E. HAMMOND.

No. 8.

Sir George Bonham to Mr. Hammond.—(Received July 5.)

(Extract.)

Mivart's Hotel, Brook Street, London, July 4, 1854.

I HAVE the honour to acknowledge the receipt of your official communication of the 28th ultimo, transmitting for my perusal and report copies of a correspondence between the Foreign Office and the Colonial Department, respecting the proceedings of Mr. White, the Emigration

* Nos. 3, 4, and 6.

Agent employed in China to procure Chinese coolies for the West Indies.

After a careful perusal of these papers, and from experience acquired in China, I am bound at once to observe that the general question of emigration from that country, as well as the best mode for carrying it into effect, is one surrounded by very great difficulties. On the one hand, I am duly impressed with the great importance of obtaining Chinese labourers for our West India Possessions; whilst on the other, the disparity of the sexes, and the obstacles in the way of procuring female emigrants, render the subject one of anxiety and serious consideration. But as Lord Clarendon wishes to have my opinions on the subject, it only rests to consider in what manner our wants can best be supplied, without leading to abuses in the collection of coolies, and without those evils which would follow from a disparity of the sexes. I need not add, that I offer the following observations with no very sanguine hope that they will be considered to meet the difficulties at present existing, though perhaps on the whole the Earl of Clarendon may not deem them undeserving of some attention.

I shall first advert to the question mooted in the papers, of establishing a *dépôt* at Hong Kong, where coolies are to be collected for shipment. No doubt this would be a very desirable step, and under proper regulations, and with the assistance of the Colonial authorities, would work in a satisfactory manner; but I cannot yet perceive how such a *dépôt* can be fully supplied. As the Duke of Newcastle observes in Mr. Merivale's letter of the 12th of June to your address, "some time must elapse before Chinese desiring to emigrate will learn to find their way to Hong Kong of their own accord, without suggestion, information, or assistance." The Earl of Clarendon will, no doubt, be aware that the Chinese population settled in Hong Kong is not of a nature likely to yield many emigrants, most of the Chinese residing on the island being in business, or connected more or less with the interests of the place. We have therefore to look to the mainland for labourers: and here lies the difficulty. Supposing the men about Canton, Macao, Whampoa, and Cumsingmoon, to be eligible for emigration (upon which there seem to be contradictory statements, though M. Jorgé, of Macao, mentioned in Mr. White's letter of the 10th December, 1853, appears to be satisfied with the natives of these localities), the employment of collecting agents to be sent inland appears indispensable; and on this point our experience at Amoy has shown us the necessity for great caution and circumspection, for it is almost impossible to guard against the extortions and villanies perpetrated by these native agents.

If, on the other hand, agents are dispatched further north, say to Amoy and its vicinity (Namoa for instance), it may be no easy matter to induce the emigrants to repair to so distant a place as Hong Kong for the purpose of being kept there until shipped, to say nothing of the frauds likely to be perpetrated if kept too long at the *dépôt*; and the distance between the two places would render the proceedings of the native agent whilst charged with the collection of the labourer less liable to be checked and overlooked.

I am aware that these are matters of detail which we ought to leave to the Emigration agent to settle, but I only mention them because it is advisable to consider this serious question under its several aspects.

For my part I would propose the collection at the ports of trade of such coolies as were willing to emigrate, and who had been obtained by fair, legitimate, and open means made known to the British and Chinese authorities on the spot; and if men were not to be had at these places, I would not object to their being obtained at any other port, provided the Chinese authorities did not interfere. I am aware that emigration is prohibited from China by some old obsolete law, which is all but ignored, and certainly neglected and set aside by the mandarins on every possible occasion, as experience has shown, not alone in the case of those Chinese who have repaired to the Straits Settlements, Java, Borneo, Manilla, and all the Eastern Archipelago, but likewise of late years in the outpourings of the country to the gold mines of California, and lately to Australia.

And under these circumstances, and with these precedents, perhaps the best mode of dealing with the subject might be to inform the Chinese authorities at the legalized ports that they cannot possibly object to the British authorities assisting in and superintending the fair and honest emigration of Chinese subjects, since it is notorious that the system is carried on under their own eyes, and with their connivance and concurrence, in a manner not free from abuses and risks, whilst the plan proposed by us would be based upon proper regulations, which would satisfy all parties concerned and entirely do away with past abuses. If their consent, whether positive or implied, could be obtained, one great difficulty would then be overcome; for in that case the emigration agent might proceed to the port where he hoped to obtain the greatest number of eligible men, and there, with the assistance of the British authorities, make the needful arrangements, without incurring the risk of those evils and serious difficulties which proved so embarrassing at Amoy in November 1852. It seems to me that under proper surveillance and control, and under the responsibility of an emigration agent, assisted by the British Consul, the system cannot but work in a satisfactory manner. If eligible coolies are to be obtained at Namoa, which is not far from Amoy, I really cannot perceive why the same men are not to be procured at Amoy itself by issuing bills and placards, and seeing that the promises therein set forth are duly and implicitly carried out.

The Land and Emigration Commissioners, in their letter to the Colonial Office of the 2nd May, state that Amoy is the spot where the greatest abuses have taken place, and from which some of the worst bodies of emigrants have been shipped. But in making this statement, it should have been added under what circumstances these men were obtained. In my opinion Amoy as a *depôt* is perhaps more eligible than Hong Kong, if the same official control be exercised at that port as it is intended should be the case in Hong Kong; for the Province of Fokien offers more advantages for the collection of eligible labourers than the Canton Districts.

In making the above remarks, I assume, of course, that the consent, implied or otherwise, of the Chinese authorities will have been obtained; for unless such be the case, emigration from China will find its headquarters at places not legalised by Treaty, and therefore beyond our control and superintendence, or it will be necessary to revert to the system of a *depôt* at Hong Kong, which will be supplied by collecting agents, whose proceedings whilst travelling in the country it will be difficult to check. This question, as I have already stated, offers difficulties on all sides, and renders a decision not easy to be arrived at.

The next point to be considered is that resulting from a disparity of the sexes, and here again I must at once confess that this difficulty appears to me of a nearly insurmountable nature. It is notorious, as the Earl of Clarendon observes, that no respectable Chinese woman will voluntarily expatriate herself. Such a wish is against her notions, her feelings, her prejudices; her mind is as incapable of grasping at or comprehending the benefits to be derived from emigration, as it is difficult for us to understand the workings of her brain or the train of reasoning by which she arrives at her conclusions. I am satisfied no couple, however slender their means may be in China, will leave their home, with its family associations, to proceed to some far distant and unknown country, with the uncertain hope of increasing those means. It does not require a twelvemonths' residence in China to obtain as clear and definite an opinion upon this subject as it is possible to possess, and a reference to the papers and correspondence of those parties, whether officially engaged or otherwise, who have written or been mixed up in any shape in coolie emigration matters, will more than confirm this opinion. We are, therefore, as a last resource, thrown upon the lowest in the scale of women, to form our stock of female emigrants; for if, as the Land and Emigration Commissioners state, male emigrants are from the nature of the case to be considered as paupers, it will be no difficult task to appreciate the status of the female portion thereof. Those that will be procured will either have been bought up as slaves, and sold as prostitutes, or they will already have carried on

their trade as common prostitutes for many years, and become willing to effect a change of locality for the sake of increased profit and advantages. That these kind of women have no objection to emigrate, we have sufficient proof, in the number who find their way to California; and shortly before my departure from Hong Kong, half-a-dozen of these women, who had collected a large sum of money in San Francisco, returned, and by means of the tempting bait held out, induced some thirty or forty other young girls to accompany them back to California, and all these actually left China for their new home. But I need hardly add that such are not the women we want in the West Indies, and I much fear that unless some sensible and practicable plan be discovered for procuring a better class of women, the present disparity of sexes will continue to exist.

There cannot be a shadow of doubt that the plan proposed by Mr. White is open to serious objection, but I confess I am unprepared to suggest a more eligible and proper one. Perhaps, with some modification, the system of offering a bounty to married emigrants, equal to the price ordinarily paid in China by a man of the labouring class for his wife, might be carried out advantageously. For instance, whether the depôt be established at Hong Kong or at Amoy, I would propose that at either place the British authority should inquire carefully into every case of marriage so performed; should have the parties brought up before him, and the woman narrowly and strictly examined previous to shipment, and a declaration made and signed by her, to the effect that she was a free and voluntary emigrant, that she freely and voluntarily married her present husband, and that no compulsion or any other agency had been set at work to induce her to do so. Without some official control of this nature, the plan would be a bad one, for the offer of a premium such as that suggested, without some official check, is a dangerous experiment to try with so venal and money-grasping a people as the Chinese. Independently of the false position in which the British authorities might be placed, by the innumerable abuses to which Mr. White's plan, in its original and crude state, would doubtless give rise, as setting on foot, in the words of Lord Clarendon, a trade little different from the Slave Trade, I do not think it could be carried out of itself, without some official support as a guarantee of its honest purpose.

If some such plan be not adopted, we must give up all idea of obtaining female emigrants, and without them emigration from China must cease, for every moral consideration and obligation requires us to do so. I have stated, perhaps somewhat freely, my views upon this important question, because I feel confident that there are not two ways of viewing the matter, and that those who propose a middle course have not considered very maturely the whole bearings of the case. A middle course is an impracticable one in this instance, and I shall now only repeat the observations with which I commenced this despatch: that the difficulties surrounding this question of emigration from China are many, and not to be easily overcome, and that unless one is fully prepared to cut those difficulties short by some decided and unusual measure, Chinese emigration must be at once stopped.

No. 9.

Sir J. Emerson Tennent to Lord Wodehouse.

*Office of Committee of Privy Council for Trade,
Whitehall, July 11, 1854.*

My Lord,

I AM directed by the Lords of Committee of Privy Council for Trade, to request that you will bring under the immediate attention of the Earl of Clarendon the accompanying copy of a memorial from certain shipmasters lately returned from the Chincha Islands, detailing the cruelties practised on the Chinese labourers employed in the export of guano, under the authority of persons responsible to the Government of Peru.

As these unfortunate men are represented to be carried from China to

the Chinchas for the most part, if not exclusively, on board British vessels, and as the trade which gives rise to this employment is principally carried on for English account, my Lords consider that remonstrance is especially called for on the part of the British Government, while they hope, for the reasons afterwards referred to, that it is not unlikely to be successful.

The particulars of the severities to which they appear to be subjected by the Peruvian contractor and his subordinates are so revolting that my Lords, before proceeding in the matter, have felt it incumbent on them to have a preliminary interview with the memorialists, of whose reputation and credibility they had previously satisfied themselves through the instrumentality of the officer employed in the registration of seamen.

The result of this interview has been to impress their Lordships with the conviction that the shipmasters who have thus brought the subject before them, have done so from motives of humanity, and under the painful belief derived from personal knowledge of the atrocities which they have disclosed.

These gentlemen are of opinion that the labour at the Chincha Islands, which is now performed by the ill-used Chinese emigrants, could be executed with greater efficiency were the shipmasters allowed to place the services of their crews at the disposal of the Peruvian authorities; that a much greater quantity of guano could be put on board, and in a much more expeditious manner, and that the ships could be consequently dispatched after a comparatively short detention; thus effecting a saving to the Peruvian Government, and enabling guano to be carried home at a proportionate reduction of cost.

In illustration of their views, they related instances of the ease and expedition with which the crews of particular ships had loaded their cargoes, in contrast to the delay experienced when the loading is performed by the Chinese; and they stated also that in the other islands where the Peruvian Government exercised a direct control by means of its own officers, the like abuse did not exist.

The memorialists state their opinion, that the existing system of entrapping the Chinese and extorting their forced labour by means of the cruelties practised upon them is maintained, not from any advantage to the Peruvian Government, but because the detention and delays to which it gives rise are turned to profitable account by the subordinates of the Peruvian contractors, who, having the control of the entire available labour of the islands, are thus enabled to extract bribes for the more expeditious despatch of particular ships.

It is intimated to my Lords, by the memorialists, that the gentleman at the Chincha Islands who represents the house of Gibbs, Bright and Co., the agents for the Peruvian Government in this country, is Mr. Went, a person of just and humane sentiments, whose assistance would cheerfully be rendered for the purpose of carrying into effect suitable arrangements on this subject.

The shipmasters urge that British vessels in search of guano, should be permitted to go direct to the Chincha Islands to load, without the obligation to touch at Callao, for the purpose of obtaining a permission to take on board guano. They state that all dues which might be imposed by the Peruvian Government would be paid with equal punctuality at the Chinchas, were an officer duly authorized to receive them.

They state, that the fear of disorders or disturbances occurring, if the respective crews were permitted to land and load their own guano, is unfounded, and is kept up by the interested representations of those who derive an illicit profit from the present system. They say that it would be easy to prescribe and maintain such regulations as would ensure greater expedition without violation of order, and would consequently furnish to the Government a greater revenue.

By your Lordship's letter of the 14th January last, my Lords were made acquainted with a decree of the Peruvian Government, by which vessels laden with guano were no longer required to touch at Callao on their homeward voyage. The shipmasters complain that the obligation to do so on the voyage out, involves a detention of many days, which it

would be obviously important to avoid, as well as to escape the risk of desertion, which they represent to be very prevalent at that port.

The memorialists state that the Chinese emigrants have hitherto been exclusively, or almost exclusively, carried in British ships; and they suggest, as a matter of justice to the Chinese, and of policy to Great Britain, whether the disposition to emigrate to the free-labour Colonies of this country may not be seriously checked if the British flag be engaged in conveying emigrants to Cuba and the Chincha Islands, and whether instructions should not be given to our Consuls to caution intending emigrants as to the nature of the service in the country for which it is proposed to ship them.

I have, &c.
(Signed) J. EMERSON TENNENT.

Inclosure in No. 9.

Memorial.

To the Right Honourable the Lords of the Privy Council of Trade.

May it please your Lordships,

WE, the undersigned shipmasters lately returned from the Chincha Islands, on the coast of Peru, beg to submit to your Lordships' consideration the following facts relative to the murderous cruelty practised on the unfortunate Chinese labourers imported to those islands—we regret to state, mostly, if not solely, in British vessels; and although we, with sorrow, do not see any immediate means of alleviating the sufferings of those already carried there, as also to Cuba and other slave-holding States, yet, remembering that the evil has been going on unchecked, owing, in some measure, to a restriction put on Consular authority in China, we have some hopes that, by your Lordships' humane interference, so much of that authority will be restored to the British Consuls in China, as will enable them to prevent the carrying of Chinese to slave-holding countries in British vessels. The orders we allude to, sent to China in 1851, were, as far as we understand from the public papers, intended to apply to the export of goods from China, the paying a nominal instead of a fixed tariff duty being practised by foreign flags to the exclusion of the British legal trader. But the Board of Trade never contemplated that, under cover of these orders, British merchants and shipmasters would take advantage of the poverty and ignorance of the Chinese lower classes to export them, under agreements incomprehensible to them, to countries where they were treated as slaves; indeed, from their remembrance of freedom and rights, treated infinitely worse; and in how far we are justified in saying that theirs is the worst form of slavery, let us again crave your Lordships' patience while we detail their condition at the Chinchas, and their treatment as witnessed by us.

The labour of digging the guano was, previously to 1852, performed by free labourers, of whom it is probable there would have been a sufficient number at all times had any attention been paid to compensate them according to the dreary nature and circumstances under which the work has to be carried on; but situate, as they were, fifteen miles from the main, not a blade of verdure, no efficient huts, water served out sparingly, no women, priests, or Sunday observance, spirits sold without restriction by the overseers, free labour gradually declined, and that of convicts added. With convicts came flogging, making the labour at the Chinchas still more distasteful, of which only the poorest Peruvians availed themselves as a last resource. Feeling the want of hands, the contractor, one Don Elias, who shipped off the guano, turned to China, and as about that time numbers of Chinese returned from California to China, with ample show of wealth acquired, no difficulty was found in filling ships for Peru by going through the form of a contract.

Your Lordships may remember that, from time to time, risings took place on board these emigrant ships from China, and report says that, in

one of those risings, the brother of Don Elias, the contractor, was killed. This story, whether true or not, is given in extenuation of the cruelty practised—foolishly enough, for, if true, the reasons are still more urgent why other unfortunates of the same nation should not be placed under the vindictive control of one whose short-sighted views of self-interest alone would make their lot sufficiently hard. No sooner are they landed from the ships than they see tall African negroes placed over them as boatswains, armed with a lash of four plaits of cowhide, laid up in the form of what seamen call “round sennet,” five feet in length, an inch and a-half in diameter, tapering to a point, and such as we, who have never been in slave-countries without witnessing flogging, could not have thought could be applied to human beings without causing death, and can only compare to the Australian stockwhip.

During the forenoons, except for regular offences (or such as the overseers please to term such), this instrument was not so much used, but as, about 4 o'clock in the afternoon, many of the weakest had not performed their task work, the boatswains (when the Middle Island, on which Chinese only were, was under the control of one Kossuth) freely used it to start those behind to bring the day's supervision to a close. The slightest resistance was punished by a flogging little short of murder, as on many melancholy occasions we witnessed, being nearer than we desired. The first six to twelve cuts stifled the most agonizing cries, that rang through the fleet—cries that we heard day by day, but only then knew the full amount of suffering that called them forth. There was no tying up; the nearest Chinaman being compelled, by a cut of the lash, to lay hold of an arm or leg and stretch the miserable sufferer on his stomach on the guano. The mere weight alone of the lash made their bodies shake, blackening the flesh at every blow, besides cutting into it like a sabre, and when a convulsive movement took place, a subordinate placed his boot on the shoulders to keep the quivering body down; two dozen made them breathless, and when released after thirty-nine lashes, they seemed slowly to stagger over, reeled, and fell, and were carried off to the hospital—in most cases, if they recovered, committing suicide; for no human heart, unless elevated by Christian training, could, after undergoing so cruel an infliction, ever have more than two feelings, that is, death to those he suffered from, or death to himself. Accordingly, during our stay there many sprang over the cliffs, many buried themselves alive in the guano, and many hid themselves in the caves of the islands to starve to death, their dead bodies floating all round in numbers. In one instance, two, emboldened by pity shown them by a shipmaster, hid themselves on board his vessel, one of whom survives, and is now in this country. We hope this miserable fugitive may live to plead the cause of his countrymen, and that the Almighty will retain him in the possession of his faculties, which, so far as his appearance goes, we think impaired by the sufferings he has undergone.

All the American shipmasters at the Chinchas, from the southern as well as the northern States, declared they never saw or heard of slavery approaching that of the Middle Island of the Chinchas in misery.

On so solemn an occasion we would not call in the assistance of national vanity to expurge a blot, but we feel certain that nothing but the kindly feelings cultivated between English and American shipmasters prevented the latter from openly taunting us with engaging in a Slave Traffic the more abominable from being practised by deceiving an industrious people, who, when carried to our free Settlements, have proved invariably a peaceable, active, and improveable class.

On a slave estate in the Brazils or Havana at least the sick are cared for; but on the Middle Island, Kossuth declared who was sick and who was not, in opposition to the medical inspector, whose opinions were not listened to, the lash compelling the broken-spirited wretches to temporary exertion. Doubtless the whole would have sunk ere this, but for the fact that those who deny themselves an addition to their coarse fare can accumulate their pay (4 dollars per month) until it amounts to 80 dollars, when they can, or could at that time, purchase their emancipation, and, after being paraded about in holiday clothes, can go to the Main Island to work on a level with the convicts, or find their way to Callao.

And what is the amount of pecuniary saving, if any, even taking it for granted for a moment that this cruelty is not the natural result of entrusting irresponsible power to selfish, irascible tyranny, but part of the means by which coldhearted avarice strives to attain its ends? The guano is dug from the surface; requires but few implements to dig and wheel it to the ships' holds or boats; is carried home at a cost of 4*l.* to 5*l.* per ton, and yet costs the British farmer 10*l.* to 11*l.*, the balance being almost all taken up by the Peruvian Government and a few monopolists—monopolists, we would remind your Lordship, who, however convenient to the Peruvian Government or Peruvian bondholders, certainly do not cheapen the article of guano to the farmers, and have an unjust preference over the body of British shipowners, who, if allowed to purchase it on the same terms, could sell it cheaper, the purchaser in that case being certain that he was not paying for the recovery of money-speculators' debts. And it is quite certain that the possibility of the cruel scenes we witnessed being enacted would be removed if the trade was made free.

While there, hundreds of British sailors lay idle in their boats for days, waiting for what, if allowed to land, could have been shipped off in a few hours. But whether the trade was made free or not, the trifling addition of 1*s.* 6*d.* per ton would not be felt on 10*l.*, and would make the digging of guano a favourite pursuit to free labourers; and the expense of a magistrate—a legal man, and not a brutal flogger—and a police guard, be saved in hospital expenses, miserable as the hospital comforts are. We have abundant presumptive proof in support of this assertion; for one of the Undersigned, acting on a clause in the ship's charter, obtained permission to work with sailors on the main island, who, for the much smaller sum of 1*s.* per ton in addition to their ship's wages—the whole less than 1*s.* 6*d.* per ton—successfully dug and wheeled down guano, until ordered off by the Peruvian officer sent down shortly after, doubtless to prevent the probabilities of the sailors interfering to protect the Chinese. On the Middle Island sailors were not allowed to land, for if they had they would certainly have interfered.

As to the means by which these islands will ultimately be wrought in a more humane manner, we can only pray that the Almighty will stir up the hearts of all Peruvians, as well as Englishmen, in favour of the unhappy beings already there. But as to the future deportation of Chinese to Peru, Cuba, and other slave-holding countries, we humbly conceive your Lordships could put a stop to that without delay, by means which your official wisdom will suggest to you—means of which, if we had the knowledge, it would be presumptuous on our part to point out to your official experience. Nor is it necessary to advert to the ultimate bearing this Slave Traffic will have on our moral influence, and the lives and property of our defenceless countrymen in China, who have not engaged in it, but from time to time denounced it. For we are sensible that your Lordships' hearts will incline to a good cause, uninfluenced by fears of mere expediency.

We trust that your Lordships, after a hard day's labour, called for by the circumstances of war in which this country is placed, will not, when snatching a glance at your family circles, and the Christian blessings surrounding you, forget the claims the miserable Chinese have on your active sympathy; and that, amid the pressure of public business, while contributing to the discomfiture of a colossal and encroaching despotism, you will stretch out a merciful and helping hand to helpless and unresisting sufferers. That the God of mercies will direct your hearts in this good work, is the earnest prayer of your Lordships' most humble servants.

(Signed)

JAMES TURNBULL.
FREDERICK ACOCK.
JOHN HENDERSON SMITH.
JOHN COULTER.
JOHN PURDON.
JOHN W. SYMONS.
CHAS. ROBERTSON.
WILLIAM CAITHNESS.
EDWARD OAGER.

London, June 27, 1854.

No. 10.

The Earl of Clarendon to Mr. Sullivan.

Sir,

Foreign Office, July 15, 1854.

I TRANSMIT to you herewith a copy of a letter* from the Board of Trade, inclosing a copy of a memorial from certain shipmasters lately returned from the Chincha Islands; and I have to state to you that I have read with horror and disgust the details therein contained of the cruelties practised on the unfortunate Chinese labourers employed in the export of guano under the authority of persons responsible to the Government of Peru.

You will make the whole subject known to the Peruvian Government, whose ignorance of these revolting atrocities Her Majesty's Government are bound to assume; but they trust that not a single day will be allowed to pass without the most stringent measures being taken for putting an end to a state of things the toleration of which would inflict indelible disgrace upon the Peruvian Government.

Her Majesty's Government learn with deep regret that, by British agency, and under the British flag, these Chinese labourers have been brought to the Chincha Islands, and placed in a state of slavery more horrible than any yet recorded; but this fact imposes an additional duty on Her Majesty's Government. Under any circumstances, they would interfere in defence of outraged humanity; but they are now specially called upon to protect these victims of brutal cupidity, and from that duty they will not shrink if, unfortunately, the Peruvian Government should hesitate to perform the duty which, in the first instance, devolves upon them; but if, as is to be hoped, the necessary orders are issued, you will request that some person, on whose firmness and intelligence you can rely, either from Her Majesty's Mission or from the British Consulate, be permitted to accompany the Peruvian officer; first, in order to verify the statement contained in the memorial to the Board of Trade; and next, to ascertain in what manner the orders of the Government are executed.

Instructions, however, will be sent to the Commander of Her Majesty's Naval Forces on the Pacific Station, to visit the Chincha Islands, to ascertain the real state of things there, and at once to adopt such measures for the protection of the Chinese, and the punishment of the overseers and others, as humanity and justice may demand.

You will at the same time point out how much the interest of the Peruvian Government would be promoted by putting an end to misdeeds originating in the corruption of their agents, and by adopting the recommendations of the memorialists. You will particularly request that outward bound ships may no longer be required to touch at Callao.

I am, &c.

(Signed) CLARENDON.

No. 11.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, July 18, 1854.

I INCLOSE herewith a copy of a letter* from the Board of Trade inclosing a copy of a memorial from shipmasters lately returned from the Chincha Islands, detailing the cruelties practised on the Chinese labourers employed in the export of guano under the authority of persons responsible to the Government of Peru.

I inclose also a copy of a despatch† which I have addressed to Mr. Sullivan, Her Majesty's Chargé d'Affaires at Lima, directing him to all the attention of the Peruvian Government to the revolting atrocities practised on these unfortunate Chinese emigrants, and stating the course

* No. 9.

† No. 10.

which Her Majesty's Government intend to take in the matter. And I have to instruct you to prevent, as far as possible, fresh shipments of Chinese emigrants to the Chincha Islands, in order that a stop may be put to these atrocities.

I am, &c.
(Signed) CLARENDON.

No. 12.

Sir J. Emerson Tennent to Lord Wodehouse. — (Received August 5.)

My Lord, *Office of Committee of Privy Council for Trade,
Whitehall, August 4, 1854.*

IN connection with the question of coolie emigration in British ships from China to South America, which has formed the subject of recent correspondence between the Lords of the Committee of Privy Council for Trade, I am directed by their Lordships to request you to bring under the notice of the Earl of Clarendon the following facts connected with the British barque "Susannah," which arrived at the port of Arica in Bolivia on the 27th of May, 1852, having on board 309 Chinese.

Mr. Lloyd, Her Majesty's Chargé d'Affaires, acquainted the Earl of Malmesbury, by despatch dated the 1st June, 1852, that on arrival of this vessel, her passengers had been openly offered for sale at Arica, and that "the captain and his agent there had sold some twenty-five of the Chinese (who had mostly been sent into the interior) for 112 dollars each, and a promise on the part of the purchasers to pay the men 4 dollars monthly," and that "the ship had sailed for Islay to dispose of the remainder."

These unfortunate men Mr. Lloyd further states had been seduced from their own country under the idea that they were going to some British Settlement under an engagement for five years.

My Lords wish especially to direct the attention of the Earl of Clarendon to the circumstance that in the case of this ship the master was provided with what purported to be a port clearance, of which the following is a copy :

"Copy, No. 11.

"Port clearance for the 'Susannah,' under British colours, Captain Lukey, bound for the west coast of South America with Chinese emigrants.

"This is to certify, to whom it may concern, that the master of the above-mentioned barque has rendered an account of her import and export cargo, and complied with the regulations of the port.

(Signed) J. B. MITCHELL.

(Seal)

"Acting Harbour-Master.

"Registered.

"Harbour-Master's Office,
"Victoria, Hong Kong,
"January, 23, 1852."

From this it appears that the Acting Harbour-Master had certified that the "Susannah" had satisfied the local authorities as to the nature of her export cargo, and that it consisted of Chinese emigrants.

Whereas it appears by the report of the British Consul at Arica, and the despatch of the Chargé d'Affaires at Bolivia, that the "Susannah" cleared out from Hong Kong "in ballast, with no emigrants, and sailed, not for South America as stated in her clearance, but for Cumsingmoon," and there took on board 325 coolies, who were afterwards offered for sale in Bolivia and Peru.

My Lords beg to call to the notice of Lord Clarendon that it would be desirable to direct an inquiry to be instituted into the alleged conduct of the Acting Harbour-Master at Hong Kong in granting the clearance in question, at variance as it was with the facts which it professes to attest ;

and enabling a ship which took her departure in ballast under colour of that clearance to proceed to another port than that of her professed destination, there to engage in a transaction which bears all the characteristics of trading in slaves.

I have, &c.
(Signed) J. EMERSON TENNENT.

No. 13.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, August 9, 1854.

WITH reference to my despatch of the 18th ultimo, relative to the cruelties practised on Chinese emigrants in the Chincha Islands, I inclose herewith, for your information, a copy of a letter* from the Board of Trade, stating that 309 Chinese were conveyed to Bolivia and Peru, in the early part of 1852, in the British barque "Susannah;" that 25 of them were publicly sold at Arica on the 27th of May of the above year; and that the master of the "Susannah" then sailed for Islay, in order to dispose of the remainder.

I am, &c.
(Signed) CLARENDON.

No. 14.

Sir John Bowring to the Earl of Clarendon,—(Received August 29.)

*"Winchester," Lat. 29° 33', Long. 122° 40',
June 5, 1854.*

My Lord,

I HAVE before me your Lordship's despatch of 5th April, with its sundry inclosures from the Colonial Office, on the subject of Mr. White's proceedings as agent for procuring the coolies for the West Indies. I have read the correspondence with no small anxiety and apprehension.

While I held the office of Plenipotentiary, during Sir George Bonham's absence, Mr. White placed in my hands a charter-party by which an emigrant ship had been hired at his suggestion to take in coolies at illegal ports. I then warned Mr. White of the perils to which he exposed himself by so open a violation of the law. On that occasion I learnt that the captain, finding the charter-party was an unlawful contract, emancipated himself from it, and of course could not be proceeded against for so doing. But I did not fail at the same time to inform Mr. White that, as a servant of Her Majesty's Government, he had other duties to discharge than merely to procure coolies for the West Indies, and that in such a position he must be particularly cautious not to sanction or commit illegal acts.

With reference to Mr. White's plan for procuring women in Hong Kong, it is practically neither more nor less than to establish, under official protection, a slave market for females in a British colony. Such a scheme is fraught with mischiefs of the most alarming character, and would lead to uncontrollable abuses and abominations.

Marriages are the subject of negotiations, bargainings, and contracts, but it is not the fact that wives are habitually and regularly, still less universally, bought in China. Concubines are, and the trade of purchasing female children and training them to purposes of prostitution is largely and openly carried on, particularly in the greater Chinese cities. It is clandestinely carried on in Hong Kong itself. But the proposal to authorize and legalize the sale of women on British territory—to furnish money from the public funds for the purpose of purchasing them, to place that money in the hands of ignorant coolies, on the promise that they will afterwards marry the females they buy, appears to me as abhorrent to moral principle and

* No. 12.

national feeling as it would be opposed to the whole character of modern British legislation.

I am persuaded that Hong Kong can be made a place attractive to male emigrants, and a source whence large supplies of labour may be provided for the colonies, but it must be by freeing it from the abuses which prevail elsewhere, and not by giving encouragement and patronage to such abuses. I think it is not impossible that a few women might now and then be induced to accompany their husbands, but such is the apprehension, not without opprobrium, which attaches to the abandonment of the soil by any Chinese female, and such the power of confederated clanships to punish the relations of any willing emigrant, that I see no reason to expect that China will ever furnish any considerable supply of women for emigration, unless they are kidnapped, bought, or by some means made the victims of fraud or force.

An interesting paper on the subject of marriage and the domestic relations of China generally, written by Mr. Medhurst, was forwarded to the Foreign Office in Sir George Bonham's despatch of 1st September, 1853, to which I beg leave to call your Lordship's attention.

I have, &c.

(Signed) JOHN BOWRING.

Paper referred to in No. 14.

Marriage, Affinity, and Inheritance in China. By W. H. Medhurst, Junior.
Read to the Asiatic Society, February 8, 1853.

ALTHOUGH so much has been written upon China and the Chinese, it is really surprising that even we, who live in the country, are so slightly acquainted with "that which before us lies in daily life;" and perhaps on no one of their many ceremonies and observances are we less informed than on those relating to marriage and inheritance. Both Sir John Davis, in his work entitled "The Chinese," and Dr. Williams, in his "Middle Kingdom," have entered somewhat fully into the subject of marriage, and sundry anonymous papers have appeared upon the same topic, from time to time, from the pens of other authors; but these have generally been confined to simple descriptions of the formalities observed at weddings, or to notices of the general bearings of the institution upon society at large. No definite or correct view can be gathered from any of them as to the legal requirements or conditions of marriage: and as regards the dependent subject of heirship or inheritance, they are nearly or altogether silent.

Such is the prevailing ignorance on this subject among foreigners settled in China, that, even among the few who have given attention to the people and their language, scarcely an individual is to be found who could satisfactorily reply to the question, "What are the needful ceremonies—what the legal acts—to give validity to a marriage contract?" Ignorance or imperfect knowledge alone induces one man to aver, that there is no definite ceremony; another to assert that the married pair had to walk between two cups of Samshoo wine after a showy procession of bride and bridegroom; or a third to rejoin, that, whatever other formalities were observed, he knew that the public and ceremonious decapitation of a fowl put an end for ever to the bachelorship and spinsterhood of the parties: I was very much puzzled to answer this very question, when put to me in England some few years ago. Men too frequently retail information obtained from unscrupulous natives, too idle to convey to them the real truth, that the ceremony actually consists of a number of observances, which united, constitute the matrimonial rite, and which are terminated by a closing ceremonial quite as marked as the "Amen" of our Church Liturgy, or the attested "I take thee" of the more secular mode of proceeding. The main observances prescribed by the Ritual,* hold good throughout China, subjected, no doubt, to numerous modifications in different parts of the country; nor could it well be otherwise, among a population so large, and covering so vast a propor-

* I use this term, here and elsewhere, comprehensively, not with reference to any special code of ceremonial observances.

by a wife for her

Husband,
Husband's parents ;

and by a concubine for her

Master.

2. *Tzse-tsuy*, indicating relationships of the second degree. The habit prescribed is composed of coarse hempen fabric, with hemmed borders ; it is worn during one year by a man for his

Grand-parents,
Uncle,
Uncle's wife,
Aunt (spinster),
Brother,
Sister (spinster),
Wife,
Son (of wife or concubine),
Daughter-in-law (wife of first-born),
Nephew,
Niece (spinster),
Grandson (first-born son of first-born) ;

by a wife for her

Husband's nephew,
Husband's niece (spinster) ;

by a married woman for her

Parents,
Grand-parents ;

and by a concubine for her

Master's wife,
Master's parents,
Master's sons (by wife or other concubines),
Sons.

It is worn for five months by a man for his

Great grand-parents ;

and by a married woman for her

Great grand-parents.

It is worn for three months by a man for his

Great great-grand-parents.

And by a married woman for her

Great great-grand-parents.

3. *Ta-kung*, indicating relationships of the third degree. The habit prescribed is composed of coarse cotton fabric ; it is worn by a man for his

Aunt (married),
Sister (married),
Brother's wife,
First cousin,
First cousin female (spinster),
Daughter-in-law (wife of a younger son, or a son of a concubine),
Nephew's wife,
Niece (married),
Grandson (son of a younger son, or son of a concubine).

By a wife for her

Husband's grand-parents,
 Husband's uncle,
 Husband's daughter-in-law (wife of a younger son, or son of a concubine),
 Husband's nephew's wife,
 Husband's niece (married),
 Grandson ;

By a married woman for her

Uncle,
 Uncle's wife,
 Aunt (spinster),
 Brother,
 Sister,
 Nephew,
 Niece (spinster) ;

And by a concubine for her

Grandson.

4. *Seaou-kung*, indicating relationships of the fourth degree. The habit prescribed is composed of coarse cotton fabric ; it is worn by a man for his

Grand-uncle,
 Grand-uncle's wife,
 Grand-aunt (spinster),
 Father's first cousin,
 Father's first cousin's wife,
 Father's first cousin female (spinster),
 First cousin female (married),
 First cousin once removed,
 Female first cousin once removed (spinster),
 Second cousin,
 Second cousin female (spinster),
 Grand-daughter-in-law (wife of first-born of first-born son),
 Grand-nephew,
 Grand-niece (spinster),
Mother's parents,
Mother's brother,
Mother's sister ;

By a wife for her

Husband's aunt,
 Husband's brother,
 Husband's brother's wife,
 Husband's sister,
 Husband's second cousin,
 Husband's second cousin female (spinster),
 Husband's grand-nephew,
 Husband's grand-niece (spinster) ;

By a married woman for her

Aunt (spinster),
 Sister (married),
 First cousin,
 Niece (married),

And by a concubine for her

Master's grand-parents.

5. *Sze-ma*, indicating relationships of the fifth degree. The prescribed dress is composed of fine cotton cloth; it is worn by a man for his

Great-grand-uncle,
 Great-grand-uncle's wife,
 Great-grand-aunt (spinster),
 Grand-aunt (married),
 Grand-father's first cousin,
 Grand-father's first cousin's wife,
 Grand-father's first cousin female (spinster),
 Father's first cousin female (married),
 Father's first cousin once removed.
 Wife of father's first cousin once removed,
 Father's female first cousin once removed (spinster),
 First cousin's wife,
 Female first cousin once removed (married),
 First cousin twice removed,
 Female first cousin twice removed (spinster),
 Second cousin female (married),
 Second cousin once removed,
 Female second cousin once removed (spinster),
 Granddaughter-in-law (wife of a son of a younger son, or son of a concubine),
 Grand-nephew's wife,
 Grand-niece (married),
 Third cousin,
 Third cousin female (spinster),
 Great-grandson,
 Great-grand-nephew,
 Great-grand-niece (spinster),
 Great-great-grandson,
Aunt's son,
Mother's brother's son,
Mother's sister's son,
Wife's parents,
Son-in-law,
Daughter's child.

By a wife for her

Husband's great-great-grand-parents,
 Husband's great-grand-parents,
 Husband's grand-uncle,
 Husband's grand-aunt (spinster),
 Father-in-law's first cousin,
 Father-in-law's first cousin's wife,
 Father-in-law's first cousin female (spinster),
 Husband's first cousin female,
 Husband's second cousin's wife,
 Husband's second cousin female (married),
 Husband's second cousin once removed,
 Husband's female second cousin once removed (spinster),
 Granddaughter-in-law (wife of own or a concubine's grandson),
 Husband's grand-nephew's wife,
 Husband's grand-niece (married),
 Husband's third cousin,
 Husband's third cousin female (spinster),
 Great grandson,
 Great granddaughter-in-law,
 Husband's great-grand-nephew,
 Husband's great-grand-niece (spinster),
 Great-great-grandson.

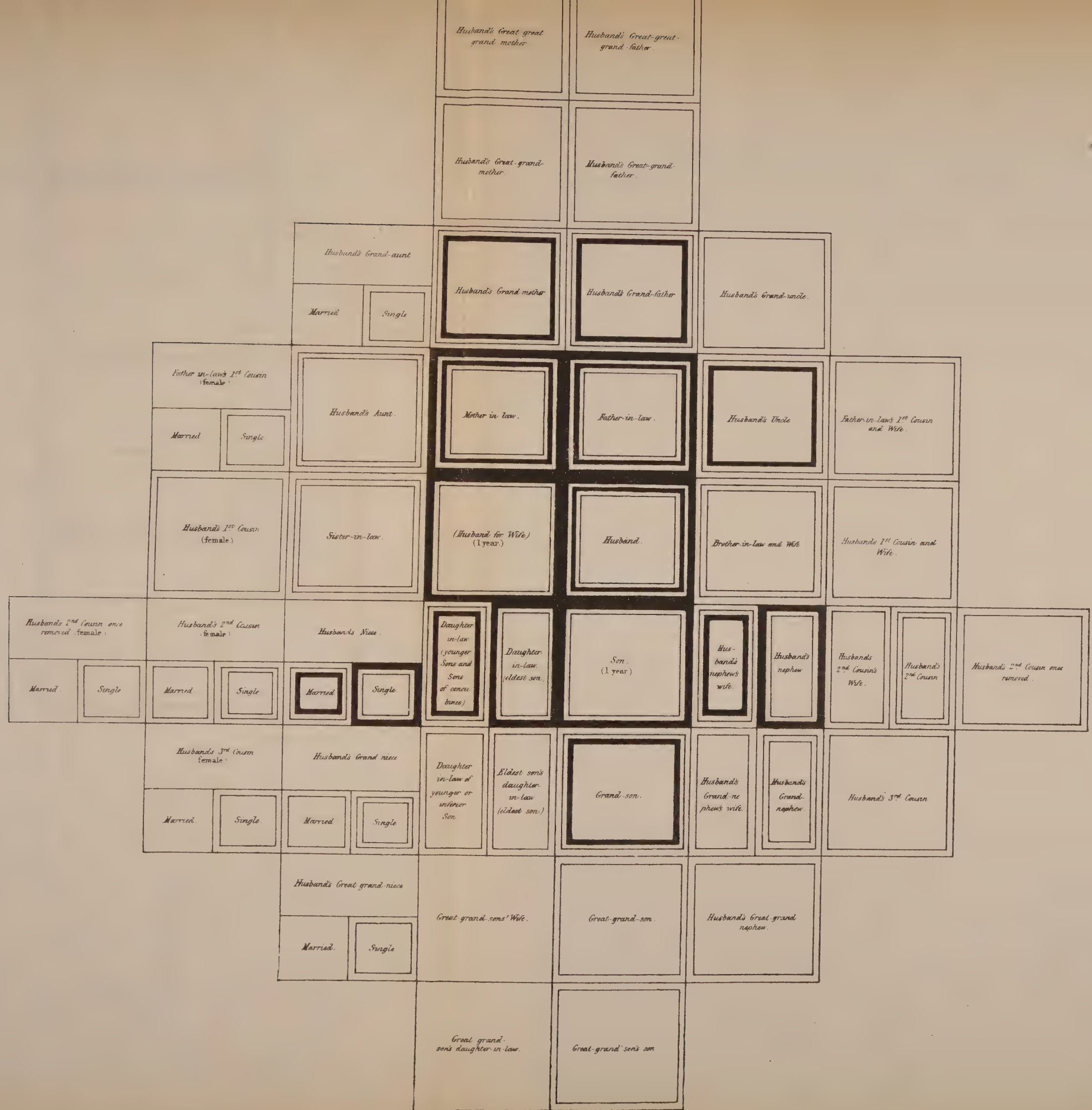
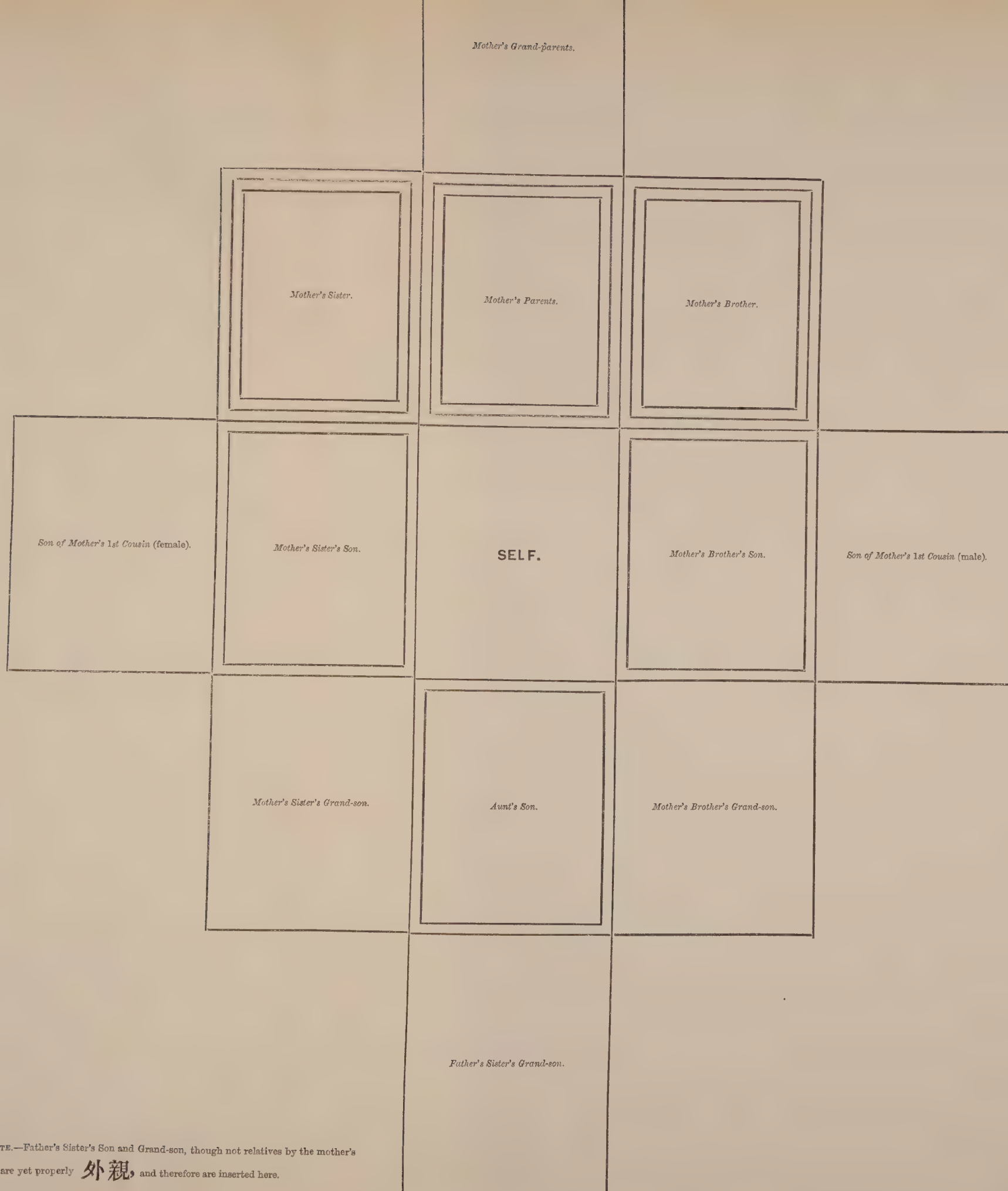


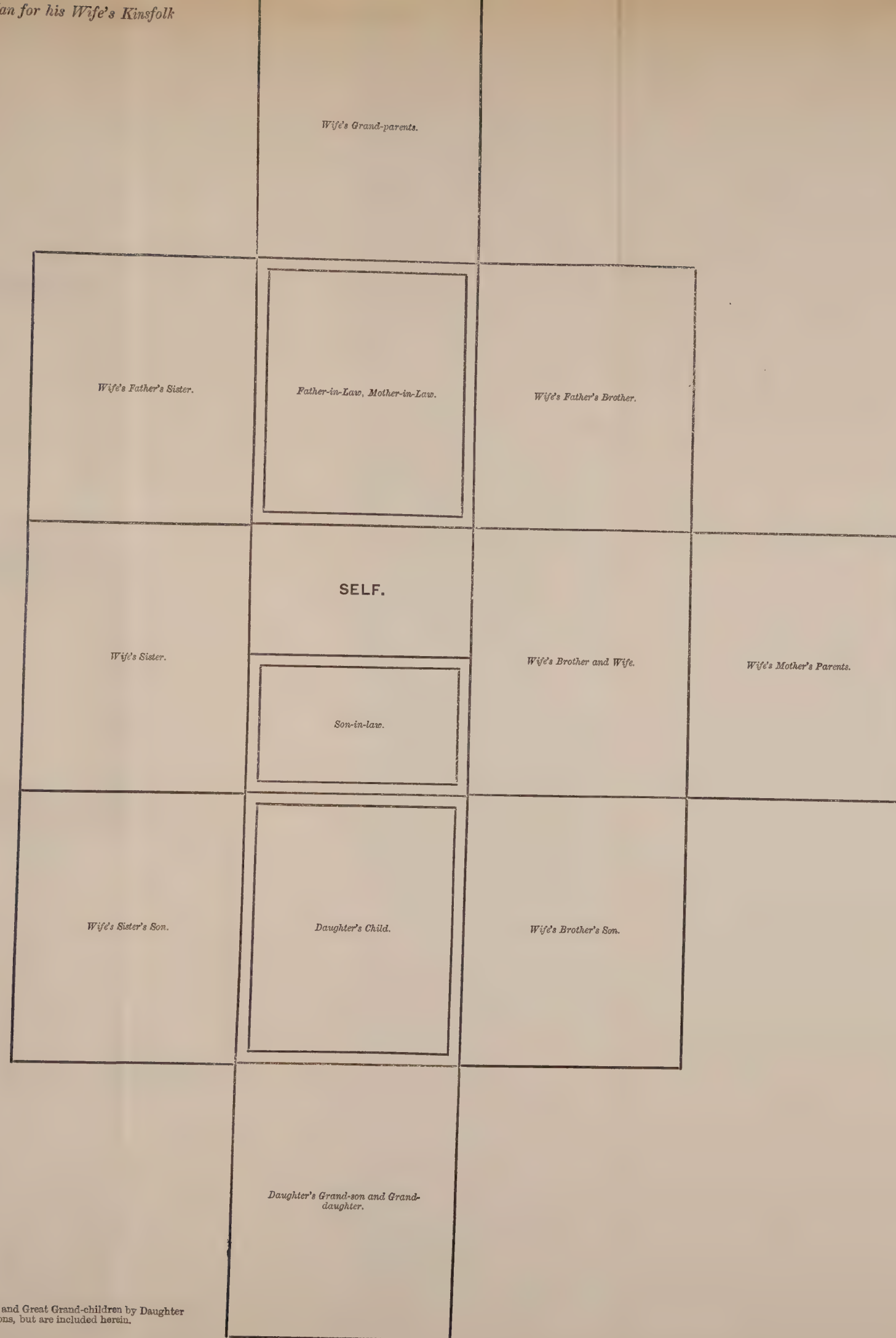
TABLE No. 3.

Mourning worn by a married Female
for her own Kinsfolk.

TABLE No. 3.			
Mourning worn by a married Female for her own Kinsfolk.			
Great great grand parents (3 months.)			
Great grand parents (3 months.)			
Grand aunt.		Grand parents (1 year.)	
Married.	Single	Grand uncle	
Father's 1st Cousin (female.)		Aunt.	
Married	Single.	Married	Single.
Parents (1 year.)		Uncle and Wife.	
Father's 1st Cousin.			
1st Cousin (female.)		Sister.	
SELF.		Brother.	
1st Cousin.			
2d. Cousin (female.)		Niece	
Nephew.		2d. Cousin.	
Married	Single	Married	Single.
HARRISON, SOONS & ST MARTINS LAKE			



NOTE.—Father's Sister's Son and Grand-son, though not relatives by the mother's side, are yet properly 外親, and therefore are inserted here.



NOTE.—Son-in-law, and Grand-children and Great Grand-children by Daughter and Grand-daughter, are not Wife's relations, but are included herein.

TABLE No. 3.
 wearing worn by a married Female
 for her own Kindred.

				Great great grand parents (3 months.)			
				Great grand parents (5 months.)			
Grand aunt.				Grand parents (1 year.)		Grand uncle	
Married.		Single					
Father's 1st Cousin (female.)		Aunt.		Parents (1 year.)		Uncle and Wife.	
Married	Single.	Married	Single.				
1st Cousin (female.)		Sister.		SELF.		Brother.	
Married.	Single.	Married	Single.				
2d. Cousin (female.)		Niece		Nephew.		2d. Cousin.	
Married	Single	Married	Single.				

And by a married woman for her

Grand-uncle,
Grand-aunt (spinster),
Father's first cousin,
Father's first cousin female (spinster),
First cousin female (spinster),
Second cousin,
Second cousin female (spinster).

Having thus explained the Chinese idea of relationship, and detailed their peculiar method of classifying its several degrees, I now resume the subject of marriage, and propose to illustrate the several observances connected with the performance of the matrimonial rite before entering upon the provisions of the statute-law with regard to it.

The ritual prescribes the age of 16 as the earliest at which it is advisable a man should marry, and limits 14 for the woman; although marriage is frequently contracted before this period of life. Parents and guardians constantly betroth their children and wards long before they arrive at these ages: and mothers sometimes even engage their yet unborn offspring on the sole contingency of a difference of sex; but the law does not recognise such contracts as binding, since it often happens that the circumstances of the contracting parties alter so materially in the course of years as to make it impossible to require their strict fulfilment.

The principal proceedings in the marriage ceremony are:

1. *Negotiation.*

Marriage is invariably negotiated in the first instance through the medium of a 媒人 *mei-jin*, or go-between, who is employed to select the wished for lady, or to convey the proposal of alliance to the family from which the lady or gentleman is selected. This person, usually a woman, but at times a man, is properly only to be commissioned and received by the parents or senior members of either family, who are called 主婚人 *choo-hwan-jin*, a term meaning "wedding directors," but which I shall render "guardians," it being an universally acknowledged principle in China, that no person, of whatever age, can act for himself in matrimonial matters during the lifetime or adjacency of his parents or near senior relations. The persons legally competent to act as guardians are,—1st, parents or grand-parents: failing these, 2nd, father's brother or sister, or mother's parents; and in default of these, 3rd, some senior kinsman.* The guardian's are (by law) alone responsible, and punishable to the extent of the highest degree of penalty, short of death, for contracting a marriage in any way unlawful, while the parties themselves are held guiltless, the authority of their guardians being considered law with them as juniors. Other relatives besides these above specified, may act as guardians in the negotiation of a marriage, but if concerned in contracting an unlawful union, the parties themselves are then held principally responsible, and they only suffer as accessories, excepting where the union is proved to have originated with themselves, in which case they suffer as principals under the same limitation as above described, and the persons marrying as accessories. The power of these guardians is so great that they may contract a marriage for a junior who is absent from home, and he is bound to abide by such engagement, even though already affianced elsewhere without their privity or consent. At this stage of the marriage ceremony the law requires that any blemish or incurable disease on the person of either of the individuals to be united, any defect of birth, any strangeness of kin,† or any disparity in years, shall be distinctly made known, and assented to by the family of the other, before further steps are taken to make the engagement binding.

2. *Engagement.*

After the negotiator has paved the way for the subsequent proceedings, the

* This rule does not apply to officers of Government above the seventh rank, who are at liberty to dispense with the interference of their elder relations, and act as their own "choo-hwan-jin."

† If born of a concubine or slave, or if adopted out of a kinsman's or stranger's family.

next step is the formal exchange of marriage articles and presents, which constitutes betrothal. The "Tung-le" prescribes two separate acts of betrothal, 納采 *na-tsae*, "sending gay presents," and 納幣 *na-pe*, "sending silks;" the former is usually called 行小聘 *hing-seaou-ping*, "sending the smaller presents," the latter 行大聘 *hing-ta-ping*, "sending the larger presents." In the first betrothal, the guardians of the bridegroom send to the family of the bride by the hands of a junior kinsman, accompanied by presents, a letter, containing, besides other formal phraseology, an inquiry as to the maternal parentage and date of birth of the lady, to which is annexed a memorandum giving similar particulars as regards the gentleman. The messenger is formally received by the guardians of the bride, who send back by his hands a return letter with presents in exchange. The second betrothal is simply a repetition of this ceremony, with an exchange of more costly presents, consisting of suits of clothes, ornaments, &c., suitable to the rank of the parties.

This part of the ceremonial forms the subject of a long section in the Penal Code. The marriage articles and betrothal presents once exchanged, the parties are considered irrevocably engaged, and any retraction on the part of the guardians of either bridegroom or bride makes them liable to punishment, which is of course increased in degree if they proceed to form or complete a new engagement. In such cases the bridegroom, if the injured party, is entitled, though not obliged, to take legal means for compelling the friends of his bride to restore her, even though already married to another party; and when the bride is the aggrieved person, she has a right to claim her recreant spouse, if not married elsewhere. If five years have been allowed to pass by after the expiry of the time named in the marriage articles for the completion of a marriage, without the bridegroom appearing to claim his affianced, the engagement may be dissolved upon reference to the local authorities, and the receipt from them of a sealed certificate, and the female may marry some other person without forfeiting her marriage presents. Where, however, adultery or theft has been proved against either of the contracting parties, the law gives the other liberty to withdraw from the engagement. If deceit have been practised, and there be a false substitution of party at the completion of the ceremony, the guardians are also punishable; and where the marriage thus contracted through misrepresentation has not been consummated, the bride or bridegroom whom the other party had actually engaged shall, unless otherwise affianced or married, be compelled to complete the marriage instead of the bride or bridegroom falsely named or described. If, however, the marriage have been consummated, the parties shall be separated.

3. Naming the Day.

The next ceremonial is called 請期 *tsing-ke*, "inquiring the day." This is done by the guardians of the bridegroom in writing, with the usual accompaniment of a few presents, and the family of the bride returning their assent, in like manner, to the day fixed upon. After the auspicious date has been decided, the bridegroom may not forcibly demand his bride before the appointed hour, nor may the bride be designedly withheld from her espoused, under pain of severe penalties to the guardians of either party.

4. Receiving the Bride.

This part of the ceremony is called 親迎 *tsin-ying*, and may be termed the consummation; it consists in the visit of the bridegroom to the house of the bride in public procession for the purpose of fetching home his affianced, and forms the concluding portion of the rite. On the day previous to the one appointed for the *tsin-ying* or nuptial day, the family of the bride dispatch a messenger to the house of the bridegroom with a broom and dust-pan, as emblems of her readiness to undertake her domestic duties, and at the same time convey thither her wardrobe, together with coverlets, curtains, cushions, mats, and sundry other furniture of the bedchamber, which are expected to be provided by her family; these they arrange and lay out in readiness for the wedding. The family of the bridegroom commence their preparations early on the appointed day, by laying out a pledging-table in the bridal chamber,

and a side-table in the same room, on which are arranged the wine and cups for pledging. The "Tung-le" prescribes the number of these, namely, six in three pairs, one of which should consist of the halves of a hollow bottle-gourd divided into two, the material of the remaining pairs being optional. These prepared, the bridegroom proceeds to take a formal congé of his father, which ceremony closes with a sort of parental charge, accompanied by a command to fetch home his bride. The son having expressed his ready obedience, mounts a horse waiting caparisoned at the door, and the procession forms, the attendants with a goose,* the band of music, and the lamp-bearers in front, the bridegroom next, and the crimson bridal sedan, decked with scarfs and tassels, in the rear, followed by a host of relatives and friends. While these formalities are going on in the house of the bridegroom, the family of the bride are performing almost similar ceremonies. Her father, having first invoked the ancestral shrine, and announced the approaching alienation of a female member of the family, proceeds, in company with her mother, to take formal leave of her, preparatory to delivering her to her approaching spouse. While the former is fortifying his child with sage counsel in regard to her future bearing and deportment, her mother stands by adjusting her dress here and there, and bidding her take to heart her father's words, their child meantime receiving their advice in submissive silence. The bridegroom arrived and announced, the father or guardian of the girl goes forth to meet him, and conducts him, with certain formalities of obeisance, to the visitors' room, into which he follows, carrying the goose in his arms. On his appearance, the attendant nurse veils the bride. The bridegroom then takes his departure, followed by his bride, the father accompanying them to the door, and remounts his horse, while she is assisted into the sedan by her nurse. The bridegroom then proceeds sufficiently in advance to enable him to be in waiting to receive his spouse on her arrival, and when the sedan appears, he assists her to descend from the vehicle and conducts her through the visitors' room to the bridal chamber, inside the door of which they stand a-while, whilst the bridesmaids place seats for them at the pledging-table. Then they proceed to make mutual obeisance, and this ended, the nurse removes the bride's veil, and they sit down, the attendant maids and groomsmen bringing in the wedding repast. After they have partaken of the food placed before them, the attendants of the bride fill the bridegroom's cup, and those of the bridegroom the bride's, and they pledge one another three successive times, using the bridal cups above described for the last and great pledge. Here the ceremony ends, and they are man and wife.

On the following day the bride makes a formal visit to the rooms of her her parents-in-law, and the day after goes through a formal service as their handmaid; this ceremony is succeeded by her introduction to the ancestral shrine on the third day, and that of the bridegroom to the wife's parents and relations some few days after.

The above formalities, which consume at least a month, often a very much longer period, are those prescribed for the taking of a 妻 *tse*, or wife, of whom the law allows but one to each individual. A system of concubinage exists among the Chinese, very similar to that practised among the Hebrews, or that permitted under the Roman law. The 妾 *tsëe*, or concubine, may be procured without any of the ceremonies above described, the simple exchange of a written contract, and the pecuniary consideration, being the only needful condition for intercourse. Concubines are principally obtained by persons in affluent and easy circumstances, and are generally chosen from amongst the lower classes, the confidential or favourite handmaidens of the wife, who follow her from her father's roof, being often selected for the purpose. The relative positions of the wife and concubine are distinctly laid down, and the law strictly prohibits the degradation of the wife to the position of a concubine, or the elevation of any of the latter to the rank of the former during her lifetime. By the wife, her partner is called 夫 *foo*, or husband, with whom she is placed on 敵體 *teih-te*, "equal terms," and to whom she is bound by all the ties of duty, honour, and affection. But with the concubine the case is different; she recognizes her partner, if so he may be called, as 家長 *kea-chang*, "head of the family,"

* The beautiful mandarin duck (*anas galeuculata*), considered by the Chinese to be an emblem of the most perfect conjugal fidelity, has often been noticed in wedding processions of opulent families, but the rarity and cost of the bird put it beyond the reach of the generality of persons.

“master,” one who has power over her person to do with her whatsoever he wills. Besides this, there are other marks of inferiority which attach to a concubine, namely, the informality attending her mode of procurement; her being precluded from sharing, as the wife does, in any of the outward signs of rank or position to which her master may be entitled, if he be in Government employ, or have earned literary honours; her being necessitated to wear mourning for her master’s wife and her children, and only permitted to wear mourning for her master and her own sons and grandsons, while the wife is privileged to mourn equally with her husband for his deceased kinsmen; and the inferiority of the children to those of the wife in the scale of family descent; while the law also makes a distinction in adjudging a less penalty where a concubine is one of the parties concerned, than that awarded in cases where the wife is the party against whom the offence is committed.

We now come to consider the legal disabilities which constitute a bar to the performance of the rite of marriage. These I propose to arrange under three heads, which I will call incidental, temporary, and permanent; happily no spiritual courts exercise in China, as with us, a jurisdiction contemporaneous with that of the local tribunals in connection with the matrimonial relation, so that I am unable to adopt the nomenclature of our English law-books, and class disabilities under the two branches, canonical and municipal; nor have I been able, for the same reason, to arrive at any such nice distinction as that found among us, between those marriages which are only voidable, and those which are *ipso facto* and *ab initio* void. The nature of the incapacities laid down by the Chinese code would warrant me in bringing them all under one head, that of civil or municipal, but this mode of classification would be too general for my purpose.

I.—Incidental Disabilities.

By these I mean such as are simply contingent upon certain disqualifications on the part of either man or woman, arising from his or her peculiar profession or position in society. Of this kind the Penal Code names five,—

1st. A disability arising from the female’s being under the immediate official jurisdiction of the individual.—The prohibition in this instance is chiefly directed against magistrates of departments, districts, &c., but is extended to include every executive officer actually employed in the public service. Under this section of the Penal Code, any local magistrate who, during his tenure of office, takes to wife, or into concubinage, any female under his own jurisdiction, is liable to receive eighty blows. Should any executive officer take to wife or into concubinage the wife, concubine, or daughter of any party interested in a case under his official cognizance or arbitration, he becomes liable to receive a hundred blows. The guardians of the female thus taken, and the female herself, have in either case to suffer a similar penalty, and the female must be separated from the officer, and, if already married, from her husband likewise, and restored to her kindred, but if only betrothed to her intended spouse. The employment of coercion on the part of the official increases his penalty in degree, while it releases the female from all culpability. This prohibition is intended to include all the male members of the official’s family, though in such cases the official alone is liable to the penalty.

The intention of this interdict is obvious, and its careful observance must tend to the prevention of a vast amount of this species of corruption, otherwise so much in the power of a Chinese magistrate.

2nd. A disability arising from the female’s being an escaped felon.—Marriage with female felons escaped from justice forms the subject of an express section in the Penal Code. The penalty attached to the breach of this law is severe, the person who marries a woman under such circumstances being liable to suffer the same sentence with that to which the woman herself has been condemned, save in cases of a capital crime, when the penalty may be mitigated one degree. Separation is also demanded, unless when the female is an unmarried or unengaged woman, and has obtained exemption by being included in a general pardon.

3rd. A disability arising from the profession of the female, with particular

reference to the position of the individual as a Government official.—The Chinese divide society into two principal classes—the honourable and the vile; the former comprises scholars, agriculturists, mechanics, and tradesmen; the latter, play-actors, prostitutes, attendants in Government offices, and jailors, among whom may also be reckoned slaves, menials, executioners, police-runners, jugglers, beggars, and all other vagrant persons. Individuals of the latter class are in general required to pursue, for three generations, some honourable calling, before they can become eligible to enter the literary examinations. Officers of Government, being placed in the position of models of propriety and patrons of the public morals, are naturally denied the liberty of associating with persons of the inferior class of society, and still more of intermarrying with them. Any breach of the prohibition under which they are placed as to marriage with such persons, renders them liable to receive sixty blows, and to be separated from the object of their choice. Any sons or grandsons of officers of Government, who inherit titular rank, are included in this prohibition.

4th. A disability arising from incongruity of class in society.—The section devoted to this prohibition, which is entitled “On marriage between the honourable and the mean,” seems only to forbid the marriage of persons in respectable standing in society with menials and slaves, and does not deny them the liberty of taking them as concubines, or of uniting themselves to other members of the inferior caste, although the title would seem to warrant the supposition that it does prohibit such intermarriage. Slavery is tolerated in China, and exists to a very great extent, although the sale of children, even by their parents, and with their own consent, is actually prohibited by the law. Exception seems to be virtually allowed to families permanently distressed by famine or other causes, and many accordingly sell their children from mere stress of poverty; boys, however, are seldom parted with, but slave girls abound, there being scarcely a respectable family that is without one or more of them. Among the more opulent, a number of girls are attached to each child as personal attendants and playmates, and these are often chosen by the future husbands of the young ladies as concubines. Boys once enslaved appear to continue in a state of bondage, and their children become the property of their masters, but I can adduce no reliable authority to establish a legal possession. Girls become free upon marriage, as they follow the fortunes of their husbands, whosoever they be. Every head of a family who takes his slave to wife, or any slave who marries the daughter of an individual belonging to the respectable classes, is liable to a penalty of eighty blows; and the guardians of the female to the same punishment mitigated one degree, unless they be ignorant of the condition of the menial to whom the girl is given. When the master is only cognizant of the marriage of his slave to a free girl, he shall suffer the penalties mitigated two degrees; but should he, in consequence of the marriage, reduce the girl also to slavery, he renders himself liable to receive a hundred blows. Any person who represents a slave to be free, and marries him or her to a free person, shall receive ninety blows. In all these cases the separation shall be insisted upon, and the degraded party restored to the position to which he or she legitimately belongs.

5th. A disability arising from the profession of the man.—The Chinese laws enjoin celibacy upon all priests, Buddhist or Taouist. Any priest who takes a woman to wife or into concubinage, is liable, with the guardians of the female, to eighty blows, himself to be separated from the woman, and, with all those of his brethren who were cognizant of the transaction, to be impeached. Should any priest solicit a woman in marriage under pretence of obtaining a wife for a relative or servant, and afterwards appropriate the female to himself, he is liable to be punished as for adultery.

II.—*Temporary Disabilities.*

There are but two disabilities which debar persons from entering into the marriage state:

1st. The being in mourning for deceased parents or husband.—On reference to the tables of mourning degrees, it will be seen that the prescribed term of mourning for a parent or husband is three years; this is actually commuted to twenty-nine months, during which time a child or widow is not permitted to indulge in any kind of festivity, or musical performances, to marry, to purchase

or become a concubine, or to change the slips of paper containing parallelisms, &c., pasted upon the doors. A widow, whether wife or concubine, may, if she please, marry again after the expiry of the term of mourning for her husband or master, but the statutes of the realm, as well as public opinion, equally encourage her in refusing all further engagement. By the former, amongst other schemes for rewarding conjugal and filial merit, it is decreed that any widow (wife or concubine), under thirty, who remains single, although poor and destitute, until she reaches her fiftieth year, or who, if she die before that time, can be proved to have lived ten years of indigence in unexceptional continency, is entitled to the public honour of a commemorative arch at the national expense. This eccentric sense of duty is carried to such an extent, that a young girl, who has lost her affianced by death, will sometimes leave her father's home to join, nevertheless, her intended parents-in-law, and remaining single, devote the rest of her life to their service and benefit.

Under the provisions of the Penal Code, any man or woman who marries during the period of mourning prescribed for a deceased parent, or any wife or concubine who marries while in mourning for a husband or master, becomes liable to receive 100 blows: also, any man, who, while in mourning for a parent, takes a concubine, or any woman who becomes one within twenty-seven months after the death of her husband or parent, is liable to the same penalty: the union in either case is to be declared void. A woman who has received title by virtue of her husband's rank or merit, may not marry again at all, not even after the expiry of the term of mourning, on pain of forfeiting her title and of immediate separation. Any persons concerned in contracting a marriage while cognizant of the existence of either of the disabilities above described, or while themselves in mourning for relatives of the first degree, are also liable to punishment. This prohibition with a lighter penalty extends to persons who marry during the season of mourning for senior relatives of the second degree; also to those who act as guardians for persons who may lawfully marry while they themselves are in mourning. If a woman become a widow, and her husband's parents or grand-parents endeavour to force her into a second marriage, they become liable to receive eighty blows; and if any relative less qualified to exert such authority attempt to compel her to marry, he renders himself liable to severer punishment, which is increased in degree just in proportion to the distance of his removal in relationship from the female. These penalties are further increased if the female be driven by compulsion to take refuge in suicide. If the marriage, thus contracted under persuasion, have not been consummated, the woman must be restored to her first husband's family; but if it have been completed, she must remain with the second husband.

The prohibition of marriage and feasting during the season of mourning for particular individuals is carried out to a certain extent in the case of the demise of the Emperor. On such occasions all officers of Government on service in the provinces are called upon by royal proclamation to abstain from indulging in music for a whole year, and from marrying or having their heads shaved for 100 days, while the people are commanded to refrain from the first recreation for 100 days, and from marrying for one month. Officers about the Court and in the capital are restricted for a much longer period.

2nd. Marriage during imprisonment of parents.—Marriage is prohibited under these circumstances for very much the same reasons as in those just referred to, it being considered unfilial and unnatural for a child to indulge in merriment while its parent is labouring under affliction. The law forbids any child from marrying during the imprisonment of a parent or grand-parent, on pain of receiving eighty blows, except it do so with their express injunction or consent, in which case the ceremony must be divested of all musical or festive accompaniment on pain of the same penalty. The taking of or becoming a concubine under such circumstances, is punished with a less degree of severity.

III.—*Permanent Disabilities.*

If the distinction above referred to between voidable marriages and those *ab initio* void, can be traced at all in the prohibitions of the Chinese Code, it is in the difference between the last two kinds of incapacity and the one yet to be considered. The former may be looked upon as mere hindrances to marriage,

which render the union, if formed, a voidable one, but the latter seems to be deemed by the Chinese as constituting a positive incapacity for forming any marriage contract at all, and therefore marking any union entered into in opposition to the recorded prohibition, an essentially incestuous illegal bond. These disabilities are of four kinds :—

1st. Prior marriage.—No man, as I have already remarked, is allowed to possess more than one *tse* or wife, however much he may indulge in a plurality of concubines.* The Code actually prohibits the taking of a second wife, during the lifetime of the first, on pain of receiving ninety blows. The same penalty is incurred by any person who raises a concubine to the rank or dignity of a wife during the lifetime of his lawful spouse.

There appears to be no special clause directed against bigamy on the part of the female, she being supposed to be incapable of such an offence while in her husband's proximity. The only provisions bearing upon the subject are to be found in the section upon divorce, where a wife is prohibited from absconding from home on pain of receiving 100 blows, and being sold at the option of her husband to some other person. If she abscond and then marry another man, she is liable to suffer death by strangulation, unless any legally constituted guardians have contracted the marriage for her, when they become amenable, and she is only punishable as a fugitive. If other relatives act as guardians, they are punishable as principals or accessories, as the case may be. Even when deserted by her husband, a wife is prohibited, on pain of receiving 80 blows, from abandoning her home before the expiration of three years, unless she give notice to the local authorities ; and from contracting a second formal marriage without the same sanction on pain of receiving 100 blows. Concubines are included in these prohibitions under mitigated penalties.

The next disability arises from Similarity of surname. This prohibition is based upon the principle that persons bearing the same surname must at some time or other have sprung from one and the same stock. There are little more than 530 surnames distributed throughout the whole Chinese population of the Empire, and although some cases must exist where families, bearing the same name, trace their origin to different ancestors, who may have adopted the same name at various stages of the history of patronymics, yet the restriction will not appear to be unnecessary, when it is remembered that the Chinese are essentially a clannish people, and herd in families to such an extent that the commonest persons are often able to trace their descent ages back through lines of ancestry more remote than any our most ancient families can claim. The penalty attaching to the breach of this law is 60 blows.

The third disability arises from disparity of position on the family tree, and it debars a man from marrying a kinswoman or connection of any generation senior or junior to that of which he is a member. The section of the Code devoted to this restriction commences with relationships within the mourning degrees, but I shall proceed to notice first those further removed, marriage with any one of whom makes both parties liable to a penalty of 100 blows. Under this prohibition a man may not marry any of the following kinswomen two generations senior to himself :—

Paternal or maternal grandmother's sister (i. e., grand-aunt).

Paternal or maternal grandmother's father's brother's daughter (i. e., grandmother's cousin).

Maternal grandfather's sister (i. e., grand-aunt).

Maternal grandfather's father's brother's daughter (i. e., maternal grandfather's cousin).

Nor the following belonging to one generation preceding :—

Paternal or maternal grandfather's sister's daughter (father's or mother's cousin).

* It may naturally be supposed that with the liberty a Chinese enjoys to take an unlimited number of concubines, he would not seek to bless himself with a second wife ; but the truth is, that respectable families are so ill-disposed to give their daughters into concubinage, and travelling backwards and forwards is so expensive to those whose profession calls them far away from home, that many men are induced to remove these and other obstacles by establishing a second domestic hearth, and hence the necessity of the prohibition.

Paternal or maternal grandmother's brother's or sister's daughter (father's or mother's cousin).

Maternal grandfather's brother's daughter (mother's cousin).

Maternal grandfathers's brother's son's daughter (mother's cousin once removed).

Nor the following kinswomen or connections of a succeeding generation :—

Paternal uncle's daughter's daughter (i. e., second cousin).

Son-in-law's sister (daughter's sister-in-law).

Daughter-in-law's sister (son's sister-in-law).

Nor the following connection of two generations junior :—

*Grandson's wife's sister.**

It will be noticed that all the above kinswomen are related to the individual by affinity (in the Chinese acceptation of that term), every one being a connection through admixture of female blood : they are at the same time related beyond the five degrees of mourning, and the prohibition recorded against intermarriage with any of them, therefore, arises solely from disparity of position in the family, and not from proximity of relationship.

The only relations (by affinity) within the mourning degrees, intermarriage with whom is prohibited on the plea of disparity of position, are,—

A mother's sister,

A sister's daughter,

both of whom are related to the individual in the fourth degree.† Besides being referable to the disability under consideration, these relationships are also deemed to be of a peculiarly intimate character, and hence the penalty is more severe than that attached to intermarriage with those first mentioned, breach of the law, in the case of the former of the two, being punishable with strangulation, and of the latter with one hundred blows, and three years' banishment. In this category, and for the same reason, but under the lesser penalty, are included marriage with

An uterine stepsister,‡

A stepdaughter.

This disability also applies to the following relationships by affinity, but only on the plea of their proximity, for of course they involve no disparity of position ; the penalty is eighty blows :—

Father's sister's daughter,§

Mother's brother's daughter,§

Mother's sister's daughter.§

The fourth disability is Consanguinity (in the Chinese acceptation of the term). This includes all kinswomen and wives of kinsmen, both without and within the five degrees of mourning, but derived from common stock with the individual through descent by male line.

Intermarriage with any kinswoman known to descend from common ancestry, or with the wife of a kinsman similarly situated, if removed beyond the

* It might be remarked, that some of these relationships indicate such a disparity of years as would render marriage improbable, if not impossible ; but if the peculiar customs of the Chinese, as regards early marriage, be taken into consideration, this objection will vanish at once : it is by no means an unusual thing for a woman to have a sister 30 or 40 years younger than herself, and supposing her to marry at 15, and her son at 16, the fact of her grandson being able to marry her sister becomes easy of credit.

† There are other relationships by affinity within the mourning degrees, but these are either of too intimate a character to need prohibition, or are not referable to this section of the Code.

‡ A note in the Penal Code explains that children of two different marriages are not included in this prohibition, but may intermarry at the desire and with the sanction of their respective parents.

§ An after-clause abrogates this prohibition, and permits intermarriage between children of brothers and sisters, or of sisters. Intermarriage between those of brothers is of course inadmissible by the second prohibition under this head.

degrees of mourning, makes both parties liable to a penalty of one hundred blows. But if a man marry the widow of a kinsman related to him in the fifth degree, or of his *mother's brother* or *sister's son*, he becomes liable with the woman to a penalty of sixty blows, and one year's banishment. Marriage with the wife or widow of a kinsman of the fourth degree, or any more closely related, is punishable as for incest with the same relations.*

Marriage with the divorced wife of any kinsman is only punishable with eighty blows, provided that she have been re-espoused by some stranger in the interim, the tie of relationship being somewhat loosened by such alienation.

Whoever takes (marriage being altogether out of the question) his father's or grandfather's concubine, or his father's brother's wife, no matter whether divorced or alienated by second marriage or no, makes himself and the woman liable to summary decapitation; and whosoever takes his brother's widow,† is punishable with strangulation.‡

Marriage with a kinswoman related to the individual within the fifth degree is punishable as incest with the same relatives.§

* Incest with the wife of first cousin once removed (4th degree),
 " of second cousin, "
 " of grand-nephew, "
 is punishable with 100 blows and three years' banishment.

Incest with the wife of grand-uncle (4th degree),
 " father's first cousin, "
 " brother, (3rd degree),
 " nephew, "

is punishable with death.

† Wherever reference is had under this head to the wives of kinsmen, concubines are equally included in the prohibition, under a mitigated penalty. An after clause makes a special exception in the case of marriage with the concubine of an uncle or brother, which is to be punished only one degree less severely than marriage with his wife.

‡ It is worthy of notice, that while the Chinese Code is so severe in its prohibition against union with a brother's widow or concubine, marriage with a deceased wife's sister is not even reverted to; nor could it have been forbidden consistently with the principles upon which the code is based, namely, the very slight importance attached to connexion through female blood, and the alienation of a female on marriage from her own family to be incorporated into that of her husband. These principles are so markedly carried out, that children of brothers and sisters may marry at pleasure, while those of brothers cannot be united on pain of death; again, a married woman is required to wear mourning for nearly all the relatives for whom her husband formally mourns, some of these very far removed, but is allowed to pay a like mark of respect only to her own very near connexions; while, on the other hand, a husband only wears mourning for his wife's parents. What a cogent argument is herein furnished against one of the theories advanced by many of the opponents of our Deceased Wife's Sister Bill, that instinct teaches us the sexes are convertible, and that, therefore, where it prevents a man from marrying his brother's widow, it should equally deny him union with his wife's sister. They have half the world opposed to them, on this side the globe at any rate, whose instincts and tendencies are as natural and unbiassed as those of any nation on earth. The marriage in question is an exceedingly common and favourite one in China. I have no means at my disposal of bringing any statistical data to show even the approximate number of such marriages, but many instances can be adduced of their prevalence both in ancient and modern times, sufficient, at any rate, to prove that the union has always been deemed a becoming and honourable one. The annals of the Chow and other dynasties tell us that it was then customary among the independent states, when the families of their princes intermarried, for the nieces and sisters of a princess to accompany her to her husband's home as bridesmaids, and that from among them was generally chosen a successor, upon her decease. Chinese history also supplies us with instances in point; Yaou, one of China's earliest and most revered sovereigns, gave his two daughters in marriage to Shun, his successor, even as Laban gave Leah and Rachel to Jacob; Ching-te, of the Han dynasty, upon the death of his Empress, chose her sister to succeed to her place and rank; and Ning-tsung of the Sung dynasty took his Queen's own sister into his palace as a concubine. Numerous cases might thus be adduced, were it necessary to enter more into detail. As a proof of the esteem in which the marriage is now held, I may refer to an example well known at Canton, that of two brothers, children of sisters, men of wealth now resident in that city, who have attained to the highest literary honours that can be reached. The practice of the Chinese, heathens though they be, in this matter, surely deserves some consideration, especially as they have been so careful to hedge about the institution of marriage with a system of restrictions which for comprehensiveness of design, severity, purity, and consistency of principle, and perfect adaptation to popular requirements, may safely bear comparison with any canonical code of which we in the West can boast.

§ Incest with a great grand-aunt, (5th degree),
 " grandfather's first cousin "
 " father's first cousin once removed "
 " first cousin twice removed "
 " second cousin once removed "
 " third cousin "
 " great grand-niece "
 " first cousin once removed (4th degree),
 " second cousin "
 " grand-niece "

It only remains now to notice two subjects intimately connected with the law of marriage, namely, divorce and incest.

Divorce.

The code enumerates seven justifying causes of divorce, and forbids a husband, unless on any one of these pleas, from putting away his wife, on pain of receiving eighty blows. These reasons for divorce are curious enough; they are barrenness, lasciviousness, inattention to parents-in-law, loquacity, thievishness, ill-temper, and inveterate infirmity. A husband cannot, however, avail himself of any of these failings in every case, there being three considerations which are sufficient to set aside the necessity of repudiation: these are—first, the wife having mourned for her husband's parents; second, her having risen with him from poverty to wealth;* and third, her having no home to which she can return.†

If, notwithstanding the existence of these relieving circumstances, he puts her away, he becomes liable to receive sixty blows, and to be compelled to take her back again. Where, however, repudiation is obligatory,‡ and it is not carried into effect, the husband is liable to a penalty of eighty blows. Mutual separation, when it is desired by both husband and wife, is quite optional; but a woman may not make her wish for separation a plea for absconding, on pain of receiving 100 blows, and rendering herself liable to be sold by her husband; nor may she, even when deserted by her spouse, leave her home until after the expiration of three years, without first giving to the local authorities notice of her intention, on pain of receiving eighty blows. Concubines absconding, render themselves liable to the same penalties, mitigated two degrees.

These peculiar statutes of the Chinese code are among the many that do not owe their origin to it as a system of legislation, but which it has adopted unaltered from the ancient ethical works upon which it is principally based; they possess therefore over the minds of the Chinese less of influence as legal requirements than as rules of action or canons of morality. Experience proves that they have not the effect of rendering the continuance of a woman in her husband's home so dependent upon his caprice as their nature would at first sight lead one to infer. The circumstances which are expected to influence a man in favour of a wife prone to the failings named above, are of such a nature, that their frequency must alone be very effective towards the prevention of divorce; but, independently of this check, the sex possesses an effectual safeguard, in the peculiarly indulgent and forgiving disposition of the Chinese character, which, no doubt, tends to make such an extreme measure as repudiation, one of very rare occurrence.

Incest.

The Chinese language possesses no technical term corresponding to "incest," in the common acceptation of the word, that crime being designated by a compound expression meaning "adultery with relatives;" but the Code simply interdicts intercourse with any of those relatives marriage with whom is already prohibited, the same system of adapting the penalty to the proximity of degree being pursued as in the marriage law.§

is punishable by 100 blows and three years' banishment: With a	
Grand-aunt	(4th degree),
Father's first cousin	"
First cousin	(3rd degree),
Aunt	(2nd degree),
Sister	"
Niece	"

by strangulation.

* This and the former indicate her having suffered privation enough with her husband to give her a claim to his lasting regard.

† These saving clauses lose effect in case of proven adultery.

‡ The Code only specifies that separation is obligatory on a husband when his wife "severs the conjugal tie," but it does not define what constitutes such severance. A note explains that general ingratitude, want of affection, indecorous behaviour, and perversity, are severing causes.

§ The punishment for simple adultery by mutual consent with any unmarried woman is 70 blows, which is increased to 80 in the case of a married female.

Criminal intercourse between individuals sprung from a common ancestry, though not related within the degrees of mourning, is punishable with 100 blows* to each party.

A criminal intercourse with any relative, or with the wife of any relative, of or within the fifth degree of mourning, is punishable with 100 blows and three years' banishment to each party.†

A criminal intercourse with a—

*Grand-aunt,
Grand-uncle's wife,
Father's first cousin,
Father's first cousin's wife,
First cousin,
Mother's sister,
Sister-in-law,
Nephew's wife,*

is punishable by strangulation to each party concerned: If with—

*A father's concubine,
A grandfather's concubine,
An uncle's wife,
An aunt,
A sister,
The wife of a son or grandson,
A niece,*

it is punishable by decollation to both parties concerned.

These penalties, excepting where otherwise specified, are reduced one degree, when the female is only a concubine.

Inheritance.

Little attention appears to have been given, by foreign writers upon China, to the subject of succession to property, so that we are almost altogether uninformed of their peculiar usage in this particular. Even a reference to the able translation, by Sir George Staunton, of the Penal Code, is attended with no satisfactory result to the inquirer, as the "Fundamental Laws," the only ones translated by that author, only legislate for the descent of dignities, and the succession to family representation, if it may so be termed, and contain no allusion to inheritance of property. This subject is only to be found treated of in some of the "Supplementary Laws," which, as Sir George Staunton's preface remarks, "are the modifications, extensions, and restrictions of the 'Fundamental Laws,'" appended upon after-experience, during the present dynasty, and subject to periodical revision and alteration. This absence of all legislation in the "Fundamental Code," upon a matter which, of all others, furnishes most food for litigation, presents a peculiar feature of the Chinese economy, and one which is worthy of notice, as proving to how primitive an origin their present constitution may be traced, and by what simple principles it has ever been guided. Since so marked a distinction is made by the Code between title to name and that to property, I will notice those two branches of inheritance separately.

Title to Name.

The desire of securing a male representative of the family has from time immemorial been a prominent characteristic of the Chinese mind, which has its origin principally in the importance they attach to the annual performance, by a lawful descendant, of the sepulchral rights, consisting of sacrificing at, and sweeping the graves of, ancestors, at stated seasons of the year.

The eldest son of the wife, or failing him,‡ a younger son, is always considered the lawful future representative of the family, and upon him devolves all posthumous sacrificial duties to parents and ancestors; but should the wife pass

* Another clause increases this to exposure in the "cangue" for forty days and 100 blows.

† An after-clause increases this penalty to the adulterer, who, in addition to it, is liable to be banished as a slave to the military in some part of the country near at hand.

‡ A note says, if the eldest son have borne to him a son before his death, that son claims the succession before the younger brother.

her 50th year without bearing any male issue, the eldest son of a concubine must be nominated to the place of honour. In the event of a man having no male issue whatever, the representation of the family descends to the son of a brother, failing him to the son of a first cousin, then to the offspring of a cousin once removed, and next to that of a cousin twice removed; the principle of inheritance to representation being, that the inheritor must be a male relative descended from common stock with the head of the family, and a member of the generation next succeeding that to which he (the deceased) belongs. If all these be wanting, some more distant kinsman, providing, as before remarked, he be a member of the next junior generation, or a person bearing the same surname, may be selected as the heir to the representation. Any departure from this order of procedure* renders the party offending liable to receive 80 blows. The nomination of an individual of a different surname, who has been adopted into the family, to the heirship, is not allowed under a penalty of 60 blows, and the deprivation of the child so adopted; and any relative of the child who abets such a misappropriation, is liable to the same punishment. Foundlings, if under three years of age, may be brought up in a family, and receive its name, but they cannot succeed to the representation, failing direct issue; they cannot be compelled to leave the family of their adoption, nor, if their real parents afterwards claim them, be detained in it, but they may not desert their adopted parents to join another family, on the plea of seeking their proper home, and with a view to share in that family's property.

Any child who, in consequence of the failure of direct issue, has been adopted and brought up as heir to the representation of his kinsman's name, is compelled to remain under the roof of his adoption on pain of receiving 100 blows; unless his adopting parents shall, subsequently to his nomination, have issue, and his natural parents have no other children, in which event they are at liberty to reclaim him. When a childless man has nominated his lawful representative from among his kinsfolk, he may, should the individual selected not please him, appoint the next in order, on making proper application to the local authorities for permission so to do; and, so long as such child is a member of the next junior generation to his own, the other members of the family may not object or complain, on the plea of his not being the next in order of succession. He possesses the same liberty of selection, where any cause of enmity may previously have existed between him and the lawful representative of his name, and any interference or protestation on the part of the relatives subjects them to severe punishment.

When a son, who has married, dies without male issue, and his relict resolves to remain in her widowed state; or if he die after betrothal, and his affianced binds herself to perpetual celibacy; or, further, if he die married, after having established himself in life, and his widow marry again; or if he die a bachelor upon the field of battle;—it becomes in either case obligatory upon the father to select and nominate a lawful heir to represent his name. Should there be no kinsman, of the generation succeeding that to which the son belonged, eligible for this purpose, and the father possess no other son, he is bound to appoint a lawful representative to himself, and when such representative shall have a son, to nominate the child to represent his deceased son. This rule does not extend to persons dying as minors or bachelors, excepting where a man loses an only son while a minor, and is unable to procure from amongst all his kindred a substitute related to himself in the proper degree; in such case he may nominate a representative for his son, and if such nominee be an only son, he may, provided all the members of the kin consent to such an arrangement, and give an official undertaking to that effect, be permitted to act as representative to both branches, and perform all sacrificial and ancestral rights accordingly.

* In case of descent of dignities, such as hereditary title or rank emanating from officers of the first and second ranks to their sons, a totally different principle of succession seems to be recognized, with a view, apparently, to the retention of the honour among the lineal descendants, in preference to permitting it to fall to collateral branches. Failing the eldest son, the title has first to descend to his first-born son, and so on to all his male heirs in perpetual succession. Failing them, it goes to the second son; and if he be deceased, it reverts to the second son of the eldest and his descendants, before it can pass to his own heirs. Should there be no male issue at all by the wife, the title is then inheritable by the sons of concubines, and their heirs in the same order; and failing any male issue at all, the younger brother of the deceased, or some person specially nominated by the Emperor, inherits the title. Any departure from this rule makes the party liable to receive 100 blows and three years' banishment.

Title to Property.

Very little information has been hitherto collected as to the local usages in different parts of the country with regard to the right of succession to property in China, but no doubt these are much influenced by the regulations and injunctions laid down in the Penal Code. On the death of an individual, those members of his family, who are senior to the inheritors, possess the right to act as executors of the estate, and upon them devolves the duty of seeing it properly administered, and equitably apportioned among the juniors, who claim the succession, or an interest in the property. Any claimant who presumes, without their cognizance and authority, to appropriate any part of the property, renders himself liable to a penalty of 20 blows, where the amount appropriated is valued at 10 taels, and of 10 blows more for every additional 10 taels of value abstracted. Any injustice or unfairness on the part of the executors, subjects them to the same punishment.

Upon the death of the father, his whole estate, lands,* goods, or money, is divisible among all the sons in coparcenary, without reference to seniority or birth, the youngest son of a concubine or slave being entitled to as large a share as the first-born son of the wife. Failing direct male issue,† the property devolves to the individual nominated as successor to the representation of the family, and if no such person exist, it escheats to the Crown, unless there be a daughter, in which case only she is permitted to inherit. Bastards are allowed to inherit, but only to the amount of half the share allotted to a legitimate son; if there be no other son, the natural son is entitled to divide the property with the chosen representative of the family; and if none can be nominated, he falls into possession of the whole.

No family estate may be divided by the children during the lifetime of either parents or grand-parents, every individual being considered a minor and a member of their family, so long as any of these relatives remain alive, unable therefore to appropriate the family property, or remove from the household to set up an independent establishment. The penalty attached to breach of this law, provided the parents or grand-parents themselves prosecute, is 100 blows.

Children may not moreover appropriate any portion of the inheritance, nor enrol themselves as independent householders, during the period of mourning for their parents or grand-parents, on pain of receiving eighty blows; always provided, as in the other case, that some senior kinsman or relative within the second degree prosecutes.

All quarrels about succession are rigorously prohibited, and if carried to such a length as to occasion loss of life, they render all those members engaged therein, liable to be completely excluded, in favour of some other heir to be selected by the elders of the kin.

No. 15.

Mr. Hammond to Mr. Merivale.

Sir,

Foreign Office, September 6, 1854.

WITH reference to my letter to you of April 4th last, I am directed by the Earl of Clarendon to transmit to you herewith, for the information of Sir George Grey, a copy of a despatch‡ from Her Majesty's Minister in China, stating his opinion as to the mischievous nature of Mr. White's proceedings in that country as agent for procuring coolies for the West Indies.

I am, &c.
(Signed) E. HAMMOND.

* Land in China is held in fee simple, on condition of registration and payment of the constituted taxes and imports, the Emperor being considered to be the original grantor or lord of the soil.

† A woman left a widow without a son, and not marrying again, may receive her husband's property in trust, until the nomination of a proper representative of her husband's name; him she must forthwith proceed to select, in consultation with the elders of her husband's kin.

‡ No. 14.

No. 16.

Mr. Peel to Mr. Hammond.—(Received September 8.)

Sir,

Downing Street, September 7, 1854.

WITH reference to previous correspondence, I am directed by Secretary Sir George Grey to transmit to you, for the information of the Earl of Clarendon, the copy of a despatch from the Lieutenant-Governor of Hong Kong, relative to the emigration of the Chinese to the West Indies.

I am, &c.
(Signed) F. PEEL.

Inclosure in No. 16.

Lieutenant-Governor Caine to the Duke of Newcastle.

My Lord Duke,

Victoria, Hong Kong, June 5, 1854.

I HAVE the honour to acknowledge the receipt of your Grace's despatch of 16th March last, giving cover to sundry letters from Mr. White, late West India Emigration Agent in this Colony, and the correspondence relating to these letters.

2. Your Grace desires me to instruct the Surveyor-General to place himself in communication with Mr. White respecting the establishment of a depôt for Chinese emigrant coolies destined for the West Indies, and to report my own opinion as to the expediency of such a measure. Mr. White having, as your Grace will have been apprised, returned to England at the termination of the season favourable to emigration, I can only comply with the second requirement.

3. I am decidedly of opinion, with Mr. White, that if the emigration to the West Indies from this place is to be systematic and constant, it cannot be conducted in so creditable a manner as the Government would wish, without the establishment of a depôt on shore or afloat: the former would probably be the least expensive both as to its original cost, and in regard to the establishment necessary for its due regulation.

4. It is difficult to imagine how, without the aid of such an establishment, labourers can be selected of such class as by their introduction would benefit the Colonies, for this must necessarily require time; nor how, when such selection has been made, the coolies can be prevented from absconding after the receipt of the advance wages that are always given as a part of the inducement to emigrate. The ordinary lay-days of a ship chartered for the voyage cannot be sufficient time, nor the ship a suitable place, for these preliminary arrangements; and the fact that such a depôt has been found necessary both at Macao, where emigration is in private hands, and in Calcutta, where it is under the supervision of the Government, seems to strengthen the supposition that it would also be a requisite here.

5. Such an establishment would also seem necessary to realize Mr. White's anticipations of success with regard to inducing married men and families to emigrate. Unquestionably it is most desirable that in emigration of every kind the proportion of male and female emigrants be as nearly as possible equal. When this is the case the removal of labourers from a country where the wages of labour are barely sufficient for their scanty subsistence to another country where labour is in great demand, and the climate at the same time suitable, must be a source of mutual benefit, and a work of high philanthropy. To accomplish this equalization of sexes among Chinese emigrants, we must tolerate Chinese ignorance and Chinese prejudice in regard to matrimony, which we shall find on examination to be, after all, not so far different from our own notions as might at first sight be supposed. Mr. White, in advocating the purchase of women might with equal truth have used a term less abhorrent

to our notions of freedom and less suggestive of abuse ; for in reality the money and presents given to the parents of the bride are considered to be for the purpose of enabling them to send her to her husband's house provided with a suitable wardrobe, and in a manner becoming their station. Perhaps the question propounded by the parents to the intending husband what sum of money he was willing to disburse to induce them to place their daughter at his disposal, might not to European ears appear more indecorous than would to Chinese ears, the converse of the question as propounded by intending husbands in Europe to parents what sum of money they were willing to add as a dowry to their daughter, to induce him to place himself at her disposal. And both in China and England mercenary considerations in such engagements are admitted to be abnormal and improper.

6. It is true that such a bounty on marriage as that proposed, might induce some to select as their wives prostitutes from the numerous brothels within their reach ; but the better the class of emigrants selected, the less probability of this contingency ; and even should its occurrence be certain, I cannot look upon it with any degree of apprehension ; on the contrary, I believe that very many of this unfortunate class of females, were such an opportunity presented to them of escaping from their terrible bondage, would most gladly avail themselves of it, and become thereafter grateful and virtuous wives ; for a great number of them, perhaps a large majority, are purchased as slaves in their infancy, and are so trained up for the express purpose of prostitution, that their mode of life can scarcely be termed voluntary. Here it is true they are free (and they constantly take advantage of their freedom in this manner), but on the mainland they are, I imagine, utterly without the power, if without the money, to obtain their liberty. I am glad that this subject is occupying the attention of Her Majesty's Government, for I consider it to be one of the greatest importance.

7. The very best stimulant of emigration to the West Indies would be, as Mr. White remarks, the return to China for a season of those who have already emigrated, earned money, and been well treated in the country of their temporary adoption.

8. With regard to the treatment of emigrants on board their ships, the great desideratum is the selection of a good captain, for on him, more than on any arrangements that can be made before the departure of the vessel, depend the comfort, health, and good-humour of the passengers. For this reason, it is most desirable that a sufficient number of ships for the season's emigration be chartered in England.

9. The Passengers Act seems to me to be unnecessarily stringent, in regard to the number that each vessel is allowed to carry. Vessels hence to California, almost without exception, build deck-houses for the accommodation of passengers ; and when they find it more profitable than to carry cargo, they lay an orlop-deck also for the same purpose. The American Passengers Act allows this ; and the Emigration Officer (recently appointed, as your Grace was informed by my despatch of 4th of May last), with my sanction, permits the practice to continue, taking care only that fully twelve feet of space be allowed to each adult on the upper decks, and twenty-four feet on the orlop deck—the height between the decks being six feet. This I consider to be fully sufficient for the preservation of health, and it satisfies both the Chinese passenger and the ship-owner ; and I see no reason why the same indulgence should not be allowed to ships carrying emigrants to the West Indies. It is obvious that such a relaxation from the stringent provisions of the English Passengers Act, would materially diminish the cost to the Colonies of each emigrant. The great points to be attended to are, the seaworthiness and ventilation of the vessel, the quality and quantity of the provisions, and the space allowed to each passenger. If on these the Emigration Officer satisfy himself, I consider others of minor importance.

10. It would be well, I think, if some local enactment were made to meet the peculiar situation of this place. Under present circumstances, though some effective control is absolutely requisite, the Emigration Officer is placed in the anomalous position of acting under a law of

which he enforces not a great deal more than its general spirit; to carry it out in the letter would, in my view, be productive of nothing but harm. It would simply drive away from our harbour a source of employment and wealth to the colonists, which it should be our anxious endeavour to foster and increase, and would not at the same time tend in any way to further the interest of the emigrant or of humanity. Such an enactment I purpose to submit to your Grace at a future time, when we shall have had more experience of what is required: to delay it seems necessary, not only on the score of deficient knowledge, but also that it may, if possible, be made to square with the intention of the Emigration Commissioners, in regard to the more permanent and systematic establishment of the West Indian Emigration, and with further reference to the measures on the same subject which, I am given to understand, it is the intention of Her Majesty's Government to bring before Parliament at an early period.

11. I would add, in conclusion, that if the Commissioners think fit to employ the Emigration Officer already appointed here to organise measures for a regular supply to the West India Colonies of coolie emigrants, instead of sending out a special agent for the purpose, this Government will not object. He is, I believe, quite competent for the task, and, from his acquaintance with the language and people, peculiarly fitted for it; but his services would be available as a supervisor only—want of time would compel him to leave much of the details to some trustworthy subordinate. In the former capacity and as a correspondent of the Emigration Board, I have no doubt his services would be very valuable, and would require for their remuneration a much smaller expenditure than would be necessary in the case of an officer sent from England for the purpose. I make these remarks under the impression that Mr. White does not wish to return to China, and that the Commissioners may have some difficulty in finding a suitable successor. That the emigration can be conducted only during one-half of the year is, perhaps, an additional reason for the employment as agent of some person not wholly dependent for support upon the emoluments of the office.

I have, &c.

(Signed) W. CAINE.

No. 17.

Mr. Elliot to Mr. Hammond.—(Received October 19.)

Sir,

Downing Street, October 18, 1854.

IN answer to your letter of the 6th ultimo, inclosing a despatch from Sir J. Bowring relative to Mr. White's proceedings in China as Emigration Agent for the West Indies, I am directed by Secretary Sir George Grey to transmit to you, for the information of the Earl of Clarendon, the copy of a report upon the subject from the Land and Emigration Commissioners; and referring to the last paragraph of that report, I am to express Sir George Grey's wish to be furnished with a copy of Mr. Medhurst's Paper on Chinese Marriages* alluded to in Sir J. Bowring's despatch, in case the question should again arise.

I am, &c.

(Signed) T. FREDK. ELLIOT.

* See p. 33.

Inclosure in No. 17.

*The Colonial Land and Emigration Commissioners to Mr. Merivale.**Colonial Land and Emigration Office,
September 27, 1854.*

Sir,

WE have to acknowledge your letter of the 20th instant, inclosing a letter from the Foreign Office, with a despatch from Her Majesty's Plenipotentiary at Hong Kong, on the subject of Mr. White's proceedings in China.

2. The emigration being now closed, at least for the present, and the matters contained in Sir J. Bowring's despatch having already undergone much discussion, it might have been unnecessary for us to have pursued the subject, but that certain passages in Sir J. Bowring's despatch involve a severe, and as we would submit unmerited, censure on some proceedings or proposals in which this Board is involved.

3. Sir John Bowring states, that on a former occasion "Mr. White placed in his hands a charter-party by which an emigrant-ship had been hired at his suggestion to take in coolies at illegal ports." We presume this refers to the charter-party of the "Martin Luther," which formed the subject of our report of the 4th June, 1853. The facts of that case were as follows: when the ship was taken up by us in England, it was uncertain at what Chinese ports Mr. White might find it possible or advisable to embark emigrants; in this uncertainty we inserted a general provision, that the captain should proceed first to Hong Kong to receive instructions, and thence to take in emigrants, to such port as Mr. White or the Governor might direct, "between Canton and Amoy inclusive." It had escaped our notice, that between these two ports there is none except Macao at which British vessels could legally trade. Our main object being to secure to the Emigration Agent (as against the ship-owner) all the discretion which he could possibly require, we were satisfied by taking care that the contract was capable of being legally carried out (namely, by shipping emigrants at one of the above three ports), and as the destination of the ship was to be determined by a Government officer, the contingency of an illegal direction did not occur to us.

4. Sir John Bowring adds, that he learnt that "the captain, finding the charter-party was an unlawful contract, emancipated himself from it, and of course could not be proceeded against for so doing."

5. In point of law we believe there is no doubt, that as the discretion reserved to the Government officer was capable of being exercised legally, the contract itself was legal and binding. In point of fact the captain was prevented from arriving in China within the prescribed time by the bad conduct of his seamen. With some difficulty, however, and we believe at a considerable loss to his employers, he ultimately made his way thither, but it was far too late to employ him. The owners acknowledged the validity of contract by paying a mulct of 100*l.* for its non-performance, and would not have disputed our right to exact a much larger sum had we not felt it right to reduce the penalty in consequence of the effort made by the captain to perform his employer's engagements.

6. It is, however, the fact, that a vessel was dispatched with Chinese from Namoa to the West Indies in 1852; and that Mr. White signified his intention to send another during the past season, which, however, was not carried into effect. On this subject we had the honour to report on the 2nd of May last.

7. Sir John Bowring stigmatizes Mr. White's plan for procuring women in Hong Kong, as being "neither more nor less than to establish under official protection a slave-market for females in a British colony." In using this language we cannot help thinking that he overlooks the distinction which exists between inflicting on our fellow creatures the evils of slavery and redeeming them from it. The effect of Mr. White's proposal would have been to transfer a certain number of females from China, in which they would have occupied the position of purchasable concubines to a British colony, where they would occupy that of free wives, and there-

fore appears to us to belong, not to the former, but to the latter class of transactions. Both, no doubt, have this point in common—that they involve the payment of money in respect of human beings. But this, we would submit, is no reason for confounding proceedings which are not only unlike, but directly opposite, in that respect on which their effect upon human happiness, and consequently their moral character, depends. On this point, however, we have nothing to add to our report of the 2nd of May, except to observe that the Acting-Governor of Hong Kong appears, from his despatch of the 5th of June, to have fully concurred in the propriety of Mr. White's plan.

8. Sir John Bowring further describes the project as one “to authorize and legalize the sale of women on British territory, and with that view to place money in the hands of ignorant coolies, on the promise that they will afterwards marry the females they buy.” On reference, however, to the paper which he had before him when this description was written, it will be perceived that the proposal as made by Mr. White was, that the marriage was to take place before embarkation; and it is evident that the money would not be paid without precautions for securing this. But it is more important to observe, that without a fundamental change in British law (which, as Sir John Bowring is aware, has never been hinted at), it would be absolutely impossible to “authorize or legalize” the sale of any human being in a British colony, or to give effect to any sale of a person proceeding to such a colony, inasmuch as it would be impossible for the (so called) purchaser to acquire or retain any property in his purchase beyond the rights which English law gives a husband over his wife. This observation appears to us very materially to affect the accuracy of Sir John Bowring's description.

9. In case the emigration were ever resumed it would be very desirable that the Secretary of State for the Colonies should be in possession of the information contained in Mr. Medhurst's Paper on Chinese Marriage, referred to in Sir John Bowring's despatch, of which, therefore, it might be desirable to obtain a copy.

We have, &c.

(Signed)

C. ALEXANDER WOOD.
FREDERIC ROGERS.

No. 18.

Lord Wodehouse to Mr. Merivale.

Sir,

Foreign Office, October 24, 1854.

I HAVE laid before the Earl of Clarendon your letter of the 7th ultimo, inclosing a copy of a despatch from the Lieutenant-Governor of Hong Kong, containing suggestions for regulating the emigration of Chinese coolies to the West Indies; and I am directed by his Lordship to request that you will state to Secretary Sir George Grey that the suggestions contained in the Lieutenant-Governor's despatch appear well worthy of consideration, and that Lord Clarendon sees no reason why the emigration of Chinese coolies should be abandoned if proper precautions are taken in conducting it.

I am, &c.

(Signed)

WODEHOUSE.

No. 19.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, October 24, 1854.

I COMMUNICATED to the Colonial Department your despatch of the 5th of June last, respecting Mr. White's proceedings as agent for procuring Chinese coolies for the West Indies; and I inclose herewith, for your information, a copy of the answer* which I have received from that Department upon the above subject.

I am, &c.
(Signed) CLARENDON.

No. 20.

Sir John Bowring to the Earl of Clarendon.—(Received November 17.)

My Lord,

*Superintendency of Trade,
Hong Kong, September 15, 1854.*

I HAVE received your Lordship's despatch dated July 18, on the subject of the atrocious malpractices of which Chinese coolies have been the victims, in the Chincha Islands, and I rejoice that the attention of Her Majesty's Government is again directed to a traffic overflowing with abuses and abominations.

I have published a notification in the "Government Gazette," of which I have the honour to inclose a copy, and have also directed the attention of the Colonial authorities to the matter, the result of which will be communicated to Sir George Grey.

I have, &c.
(Signed) JOHN BOWRING.

Inclosure in No. 20.

*Proclamation.**Diplomatic Department.*

By His Excellency Sir John Bowring, Knight, Her Britannic Majesty's Plenipotentiary and Chief Superintendent of the Trade of British subjects in China, &c., &c.

WHEREAS authentic information has reached Her Majesty's Government of intolerable cruelties and oppressions practised upon Chinese emigrants who have been conveyed in British ships to the Chincha or Guano Islands, and reduced to a state of slavery, it is hereby made known to all consignees, owners, and commanders of British vessels in China, that they are absolutely prohibited from accepting charters or conveying emigrants to the said islands, and that any disobedience to this prohibition will be visited by the severest penalties of the law. And Her Majesty's Consular authorities are in their several jurisdictions required to ascertain and report to this Superintendency, for the information of Her Majesty's Government, any case which may come to their knowledge of such charter or conveyance of the subjects of China to the islands aforesaid, not only as regards the five legal ports of China, but from any other place or places whereat emigrants may be shipped.

Given at Victoria, Hong Kong, September 11, 1854.

God save the Queen.

(Signed) JOHN BOWRING.

No. 21.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, November 21, 1854.

I HAVE received your despatch of the 15th of September, inclosing a copy of a proclamation which you have published, interdicting the conveyance by British vessels of Chinese emigrants to the Chincha Islands; and I have to state to you that I approve of your proceedings in this matter.

I am, &c.
(Signed) CLARENDON.

No. 22.

Consul Robertson to Mr. Hammond.—(Received November 28.)

Sir,

*Office of Her Majesty's Superintendent of Trade,
Hong Kong, October 9, 1854.*

I HAVE the honour to inclose an extract from the "China Mail" newspaper of the 28th ultimo, being a notification from the Consul of Peru at Canton and Macao, having reference to the shipment of Chinese coolies to the Chincha Islands, and the proclamations of Her Majesty's Plenipotentiary on the subject.

I have, &c.
(Signed) D. B. ROBERTSON.

Inclosure in No. 22.

Extract from the "China Mail" Newspaper of September 28, 1854.

*Consulate of the Republic of Peru,
Canton, September 23, 1854.*

THE Undersigned, Consul for the Republic of Peru, begs to call the attention of persons connected with Chinese emigration to Peru, to the proclamations of his Excellency Sir John Bowring, Governor of Hong Kong, and Superintendent of British Trade in China, on the subject, and say :

That in Peru no person is allowed to be made a slave, and that cruelties may have been committed amongst the few Chinese sent to the Chincha Islands, but no greater than those which occur in British colonies and under British masters.

That Chinese going to Peru are under a contract to serve for a fixed period of years, and said contracts are fully complied with; and consequently it is merely an empty assertion that they are made slaves, and to declare slavery any contract entered into for servitude for a short period of years, at fair remuneration, is very difficult to believe can be established.

That to take measures to prevent Chinese emigration to the Chincha Islands, without Her Britannic Majesty's Government having first addressed the Government of Peru on the subject, or given a proper notice of the view taken of this emigration, is contrary to the general usage amongst civilised nations.

That my attention has been called as to contracts at present pending on Peruvian account for the shipment of Chinese emigrants, and my opinion desired as to their being considered cancelled by said proclamations. On this point I cannot give an opinion, but would suggest that it is scarcely possible that Sir John Bowring has been authorized by his Government to make assertions so directly attacking the honour and integrity of a nation with which England has amicable relations; and

accordingly I would recommend parties having such contracts to await a communication on the subject from the Minister of Peru in London, whom I have addressed with copies of the proclamations in question.

Chinese have been sent to the Chincha Islands, being the cheapest labour that could be procured, with the view to enable the sale of guano at low rates in the consuming countries; and I would call attention to the fact, that up to the latest dates from England, public opinion there, when directed to this question at all, was confined to complaints at the high price of guano, while no attention was paid to reports that had already reached that country, of cruelties said to be exercised in procuring it.

(Signed) W. M. ROBINET,
Consul for Canton and Macao.

No. 23.

The Earl of Clarendon to Sir John Bowring.

(Extract.)

Foreign Office, December 8, 1854.

WITH reference to my despatch of the 18th of July last, instructing you to take steps to prevent as far as possible the shipment of Chinese emigrants to the Chincha Islands, I have to acquaint you that from information received by Her Majesty's Government it appears that the Chinese labourers at the Chincha Islands are now better treated and under regular supervision.

Under these circumstances it may be unnecessary to continue the prohibition issued by you on the 11th of September, against the conveyance of Chinese emigrants to the Chincha Islands in British vessels.

No. 24.

Consul Robertson to Mr. Hammond.—(Received December 28)

*Office of Her Majesty's Superintendent of Trade,
Hong Kong, November 10, 1854.*

Sir,

DEEMING that some information with reference to the shipment of Chinese coolies to Peru might be acceptable to Her Majesty's Government, and more particularly so at a time when public attention has been called to the treatment these people are said to undergo at the Chincha Islands, I have the honour to inclose a tabular statement of the Chinese shipped to Peru under the designation of colonists, from the years 1849 to 1854 inclusive, which I obtained from the records of the Peruvian Consulate at Canton. From this document, which I have no reason to suppose is incorrect, it will be seen that the number of Chinese shipped within the above-mentioned period amounts to 7,356 individuals. Of these 4,754 were landed at their destinations, and 549 died on the passage.

I have, &c.
(Signed) D. B. ROBERTSON.

Inclosure in No. 24.

STATEMENT of Chinese shipped to Peru as Colonists, under Contracts of 5 and 8 years, none of which have as yet expired.

Date of Departure.	Ship's Name.	Flag.	Captain's Name and Nation.	Ship's Tonnage.	Where bound.	No. of Chinese Shipped.	No. of Chinese Landed.	Deaths.	Place of Shipment.	Shippers.	REMARKS.
1849. June 7	Fredk. William.	Danish.	Paulsen.	430	Callao	75	75	..	Cumsingmoon	Don Elias.	
1850. Feb. 17	Lady Montague.	British.	J. R. Smith.	763	"	440	241	199	"	"	Caused by ill-treatment and drunkenness of officers and Captain.
June 13	Empresa.	Peruvian.	J. White.	446	"	300	252	48	"	"	Captain cut their tails; they killed him, and landed back in China.
Sept. 24	Albert.	French.	J. Paine.	292	"	245	...	...	"	"	Put back leaky; men discharged.
Oct. 7	Chile	"	J. Verniol.	376	"	300	...	...	"	"	Put into Manila, and transshipped per "Oriza."
" 14	Manuelita.	"	Las Casas.	200	"	180	176	4	"	"	
1851. Jan. 31	Mariner.	British.	Harland.	685	"	409	400	9	Macao	Sevilla and Co.	
Feb. 21	Coromandel.	"	Brown.	663	"	404	400	4	"	"	Rose and killed the Captain, and landed in China seas.
Dec. 5	Victory.	"	Mullins.	579	"	350	...	...	Cumsingmoon	"	
1852. Feb. 2	Susannah I.	Peruvian.	Lukey.	514	"	325	319	6	"	"	
July 12	Beatrice*.	"	Edwards.	376	Callao and Panama	300	...	...	"	W. M. Robinet.	Ship wrecked at Singapore; all men deserted.
April 10	Empresa.	"	White.	446	"	420	393	27	"	Sevilla and Co.	
Nov. 24	Miceno.	"	Gonzales.	230	"	5	5	...	"	Alson.	
"	Ohio.	American	Raupach.	373	"	300	228	72	"	"	
1853. Jan. 2	Eliza Morrison.	British.	Mc Culloch.	797	"	420	404	16	"	Sevilla and Co.	
" 26	Isabel Quintina.	Peruvian.	Beazley.	514	"	325	316	9	"	"	
Feb. 11	Yaque.	Mexican.	Lazaniga.	237	"	200	198	2	Macao	Alson.	
" 8	Nepaul.	British.	Neil.	1,006	"	500	492	8	Cumsingmoon	Sevilla and Co.	
March 19	Rosa Elias.	Peruvian.	G. Wheatley.	233	"	200	...	...	"	"	Rose and killed the Captain, and landed near Singapore.
" 19	Empresa.	"	White.	446	"	425	329	96	"	"	Had ship fever on board.
1854. Feb. 20	Isabel Quintina.	"	Beazley.	514	"	325	278	47	"	W. M. Robinet.	Guaranteed not to work in guano.
March 10	Amazon*.	British.	Vincent.	340	"	250	248	2	Swatow	Sevilla and Co.	Lost on Brampton shoal.
"	Grimmeza.	Peruvian.	Penny.	700	"	600	...	...	"	W. M. Robinet.	Guaranteed not to go to Hume Island.
"	Santiago*.	"	Loutano Rosa.	300	"	58	...	...	Macao	"	
				11,470		7,356	4,754	549			

* All had doctor, provisions and water for 150 days, and interpreter.

No. 25.

Mr. Sullivan to the Earl of Clarendon.—(Received January 11, 1855.)

My Lord,

Lima, November 25, 1854.

ALTHOUGH I have frequently pressed upon the Peruvian Minister for Foreign Affairs, Señor Gomez Sanchez, the necessity which exists that he should lose no time in giving to me the Government report respecting the treatment at the Chincha Islands of the Chinese labourers, yet I have not been able hitherto to obtain that statement from his Excellency.

I trust, however, that the reports which I have already had the honour to forward will, to a certain degree, have satisfied your Lordship that whatever may have been the ill-usage of the Chinese under the contract of Don Domingo Elias, yet that no such cruelties are practised at present.

I have the honour to inclose translation of a Decree of the President of Peru, ordering that the Chinese labourers in the Chincha Islands shall receive 8 dollars a-month as wages, and that in all cases they be well treated.

I have, &c.
(Signed) S. H. SULLIVAN.

Inclosure in No. 25.

Decree.

(Translation.)

Department of Finance, Lima, September 15, 1854.

CONSIDERING that the Government is bound to ameliorate, in so far as is possible, the condition of the Chinese working in the Guano Islands; that the political prisoners who cannot be forced to work should not remain in the said islands; that the prisoners condemned to hard labour in the public works for the term of their punishment have no right to more daily pay than that which is necessary for their maintenance: It is resolved that the Chinese employed in the works of the Guano Islands according to their respective contracts, shall receive 8 dollars a-month, divided into weeks or as may be convenient; that the authorities of those places take heed that they be not ill-treated, and that good provisions be supplied to them; that the political prisoners who cannot be employed in the digging and shipping of guano shall be embarked and sent to Callao at the disposal of the War Department, and that the prisoners employed in the public works be paid a daily sum of 4 reals to cover all their expenses.

Let this be communicated and registered.

(Countersigned) MENDIBURU. (Signed by his Excellency.)

No. 26.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, January 6, 1855.

WITH reference to my despatch of the 8th December, respecting the treatment of Chinese emigrants at the Chincha Islands, I transmit to you herewith a copy of a despatch* from Her Majesty's Chargé d'Affaires at Lima on the same subject.

I am, &c.
(Signed) CLARENDON.

* No. 25.

No. 27.

Sir John Bowring to the Earl of Clarendon.—(Received January 27, 1855.)

My Lord,

*Superintendency of Trade,
Hong Kong, November 28, 1854.*

IN reference to your Lordship's despatch dated 9th August, in which I was directed to make inquiries as to the circumstances under which the port clearance was granted by the Harbour Master of Hong Kong to the British barque "Susannah," I have the honour to inclose copy of a letter addressed to the Colonial Secretary by Mr. E. R. Michell, who signed the port-clearance in question.

I have, &c.

(Signed) JOHN BOWRING.

Inclosure in No. 27.

Mr. Michell to the Colonial Secretary.

Sir,

*Harbour-Master's Office,
Victoria, Hong Kong, October 7, 1854.*

I HAVE the honour to acknowledge the receipt of your letter of this date, having reference to the port-clearance granted to the British barque "Susannah," with Chinese emigrants, and a letter addressed to Lord Wodehouse upon the subject of coolie emigration, and in reply beg most respectfully to state, that there being no custom-house at this port, the duty of granting port-clearances devolves upon the harbour-master, who is required, under Section 10 of Ordinance No. 11 of 1845, to grant port-clearances to all ships, agreeable to a form to be deposited in his office, without demanding declaration of the truth of the master's report before granting the port-clearance, as is usual in other Colonies.

I would be permitted to remark, that in China the terms used, "Chinese emigrants" and "Chinese coolies" are understood to be widely different, the former being a class of persons who have paid their passage, so many thousands of whom cleared from this port during the last year; while the latter are understood to be those who have had their passage paid for them under an agreement, such as those who left this port in April last in the British ship "Epsom" for Jamaica, and many others at a former period for New South Wales. In either case, however, the port-clearance granted to the "Susannah," is in accordance with the usage of the port, from the commencement of the Colony up to May last, when an emigration officer was appointed, from which period no vessel has received a port-clearance with passengers without having first obtained that officer's certificate.

In conclusion I would beg to remark that the port-clearance, said to be a copy of the one granted from this office, is incorrect, and that when the port-clearance was granted to the "Susannah," it was not supposed that the iniquitous charge laid to the master could be for a moment perpetrated. The port-clearance I conceive to be no warranty, and that he is alone responsible for such acts.

I have, &c.

(Signed) E. R. MICHELL.

No. 28.

Mr. Sullivan to the Earl of Clarendon.—(Received February 7, 1855.)

(Extract.)

Lima, December 22, 1854.

IN my despatch of the 25th of November last, I had the honour to inclose to your Lordship the copy of a Decree of the Peruvian Government respecting the treatment of the Chinese labourers in the Chincha Islands.

I have now the honour to transmit the copy and translation of a note which I have received from the Peruvian Minister for Foreign Affairs, entering into details relative to those Chinese, which, added to the documents I have already in former despatches had the honour to forward, will, I trust, have satisfied your Lordship that whatever may have been the cruelties practised upon those Chinese labourers under the contract of Don Domingo Elias, they have now no cause for complaint.

Inclosure 1 in No. 28.

*The Peruvian Minister for Foreign Affairs to Mr. Sullivan.**Lima, 12 Diciembre, 1854.*

HE recibido la nota de VS. fecha 2 de Setiembre último, en la que me dice VS. que tiene orden de su Gobierno para transmitir ál del Peru copia de una carta del Tribunal de Comercio, á la que está unida la representacion de ciertos capitanes de buques llegados á Ynglaterra de las Islas de Chincha, y que han causado horror á Su Majestad las crueldades que sufren los Chinos que trabajan en la explotacion del guano en dichas islas á ordenes de personas dependientes del Gobierno Peruano.

No debiendo considerar la interposicion de la Legacion Ynglesa en este asunto, sino como oficiosa y amigable, y como un simple aviso en favor de la humanidad, me es muy satisfactorio decir á VS. que los capitanes que firmaron la representacion, procedieron sin duda animados de falsas impresiones y tal vez de algunas miras de interes privado que procuraron hacer conocido asociandole á una cuestion de humanidad; pues se les ve que tratando de los sufrimientos de los Chinos se avanzan á emitir opiniones sobre el sistema actual de la venta del guano, calificandolo de monopolio, y sobre la conveniencia de emplear en el cargo á los marineros que tripulan los buques.

Ya habia llegado á conocimiento del Gobierno por la nota del Consul de la República en Canton, de la que acompaño á VS. copiados algunos fragmentos, que en el exterior se hablaba con acrimonia acerca de las crueldades de que los Chinos eran victima en las Islas de Chincha. El Gobierno Peruano, impulsado tambien por sentimientos de humanidad, mandó esclarecer los hechos; y por los informes que acompaño en copia, del General Don Carlos Lagomarcino, Gobernador de las islas, y de un empleado subalterno á que se refiere, se convencio de que carecian de fundamentos todas las voces que circulaban sobre los supuestos padecimientos de los Chinos. Sin perjuicio de esto reiteró ordenes espresas para que se les tratase con humanidad, y ultimamente expidió el Decreto de 15 de Setiembre inserto en el "Peruano" que acompaño tambien á VS., duplicando el salario que ganaban segun sus contratos primitivos.

Siendo este asunto de la esclusiva competencia del Gobierno Peruano, he entrado en los pormenores de esta nota solo por un sentimiento de consideracion hacia él de Su Majestad Británica y por el propio decoro de la Administracion, interesada en desvanecer toda imputacion que pudiera presentarla como capaz de permitir que se ejecutasen actos de crueldad sobre ninguna clase de hombres, cualquiera que sea su raza ó condicion.

Con sentimiento, &c.

(Firmado)

JOSE LUIS G. SANCHEZ.

K

(Translation.)

Lima, December 12, 1854.

I HAVE received your note dated 2nd of September last, in which you state to me that you have received instructions from your Government to transmit to that of Peru a copy of the letter of the Board of Trade, inclosing the representation of certain captains of vessels arrived in England from the Chincha Islands, and that Her Majesty is horrified at the cruelties suffered by the Chinese labourers in the digging of the guano in those islands, under the orders of persons employed by the Peruvian Government.

As the mediation of the British Legation in this matter cannot be considered but as friendly and as a simple notice in favour of humanity, I have the satisfaction to state to you that the captains who signed the representation acted, there is no doubt, under false impressions, and perhaps with some private interested view which they have made known by associating it with a question of humanity; for in speaking of the sufferings of the Chinese, they pretend to emit opinions upon the actual system of the sale of the guano, terming it a monopoly, and upon the convenience of employing the crews of the vessels in the loading of the guano.

The Government had already been acquainted by the note of the Consul of the Republic in Canton, of which I inclose extracts, that in foreign countries, the cruelties of which the Chinese were the victims in the Chincha Islands, were spoken of with acrimony. The Peruvian Government, influenced also by feelings of humanity, directed that an inquiry should be made into the truth of the facts; and from the reports, copy of which I inclose, of General Charles Lagomarcino, the Governor of the islands, and of a subaltern employé, to which he refers, they are convinced that there were no grounds for the statements which were circulated respecting the supposed sufferings of the Chinese. Notwithstanding this, however, the Government gave express orders that they should be treated with humanity, and later issued the Decree of 15th September, inserted in the "Peruano," copy of which I also inclose, doubling the wages which they gained according to their original contracts.

Although this matter is an exclusive affair of the Peruvian Government, I have entered into the details contained in this note, purely on account of the feeling of respect which they entertain towards Her Britannic Majesty's Government, and for the honour of their own Administration, that is interested in removing every imputation which could represent it as capable of permitting the execution of acts of cruelty upon any class of men, whatever may be their race or condition.

I have, &c.

(Signed) JOSE LUIS G. SANCHEZ.

Inclosure 2 in No. 28.

The Governor of the Chincha Islands to the Peruvian Minister for Foreign Affairs.

Excelentísimo Señor,

Islas de Chincha, 22 de Junio de 1854.

LOS hechos aducidos en el anterior informe, me son constantes, y si me ocupase de ellos, no haria otra cosa que reproducirlos. Respecto de los Asiaticos ocupados en el trabajo de estas islas, hay sin duda que distinguir dos epocas distintas; la trascurrida hasta Diciembre proximo pasado, en que vivieron bajo la subordinacion de sus respectivos patronos, y la que ha trascurrido hasta el dia desde esa fecha 24 de Diciembre, en que el Supremo Gobierno creando una autoridad en estas islas ha hecho imposible todo genero de maltrato.

En esta segunda epoca, no hay duda, los trabajadores han mejorado de posicion; el acarreo del huano se hace por carros, se pagan á seis reales

cada uno de ellos, y el peon, libre ó presedario, gana á proporecion de su labor, habiendo algunos que entregan tres carros diarios, y dos la mayor parte. Estan pues contentos con sus ganancias, circula bastante numerario y diariamente se aumentan sus comodidades. El estimulo reina entre ellos y la fuerza del trabajo se debe en la actualidad á nuestro presidio y no á los colonos Asiaticos.

Estos se hallan bajo de otro regimen ; su trabajo es proporcionado á su complexion, sus ganancias son las estipuladas en sus contratas, y los encargados del Supremo Gobierno del carguio de huano no solo respetan y cumplen estas, sino que tambien les han aumentado el alimento y mejorado el vestido.

La epoca á que se contrae nuestro Consul en Canton, se refiere al tiempo en que el Supremo Gobierno no tenia en estos trabajos una participacion tan inmediata, pero con todo no es creible que jamas se les hubiese tratado de aniquilar, porque la conveniencia de sus mismos patronos exijia su conservacion y esta es incompatible con el maltrato, el hambre y el esceseivo trabajo.

Con lo espuesto y el informe del encargado de los trabajos de estas islas, dejo cumplido el superior decreto marginal de VS.

(Firmado) CARLOS LAGOMARCINO.

(Translation.)

Sir,

Chincha Islands, June 22, 1854.

THE facts adduced in the foregoing statement are true, and if I myself entered into a report upon the subject I could not do otherwise than reproduce it.

Respecting the Chinese employed in the works of these islands, it is necessary to distinguish two distinct periods; the period previous to December last, during which they existed under the subordination of their respective masters, and the period from that time to the present day. From that day, 22nd December, on which the Supreme Government appointed an authority in these islands, all maltreatment has been made impossible.

During this second period it cannot be doubted that the situation of the labourers has improved; the transportation of the guano is effected by cart-loads, for each one of which 6 rials are paid. The free or prison labourer earns in proportion to his work. There are some who deliver three cart-loads each daily, and the greater number two cart-loads daily; they are therefore contented with their gains, money circulates abundantly, and their comforts increase daily. Encouragement predominates amongst them, and the principal portion of the work done at present is due to our prisoners, not to the Chinese colonists.

These are placed under a different arrangement; their labour is in proportion to their constitution, their gains are those stipulated in their contracts, and the Supreme Government contractors for loading the guano not only respect and fulfil those contracts, but they have also increased their food and improved their clothing.

The time referred to by our Consul in Canton was when the Supreme Government took no immediate part in these works, but notwithstanding this it is not to be credited that any attempt should have been made to annihilate the Chinese, because the convenience of their employers themselves demanded their preservation, which is in contraposition with maltreatment, starvation, and excessive labour.

With the foregoing statement, and the report of the overseer of the works of these islands, I have the honour to fulfil the marginal decree of your Excellency.

(Signed) CARLOS LAGOMARCINO.

Inclosure 3 in No. 28.

Señor Serrate to the Governor of the Chincha Islands.

Señor General-Governador,

Islas de Chincha, 21 de Junio de 1854.

CUMPLIENDO con el anterior decreto debo esponer á VS. que lejos de tildarse de opresora la conducta que se observa con los colonos Asiaticos que se ocupan en los trabajos de estas islas, es mas bien humana, benefica y generosa, pues se les da algo mas de lo estipulado en sus contratos.

En cuanto á los alimentos reciben lo necesario para su comodo mantenimiento y en mayor cantidad que la especificada con ellos mismos, pues no están sugetos á racion determinada, sino que reciben diariamente todo lo que ellos mismos pueden consumir, pues se ha observado que estos individuos en nuestro clima son mas voraces y golosos.

El pré ó salario á que por dichas contratas tienen derecho jamas se les ha hecho ilusorio ni retardado un solo dia, recibiendo algunos de ellos algo mas mensualmente como compensativo á su contraccion al trabajo; se les ha proporcionado ademas un alojamiento abrigado con su entarimado de madera en donde descansan y duermen.

Desde que el actual y filantropico Gobierno ha autorizado á la casa de los Señores Guillermo Gibbs y Ca. para que no escasee cosa alguna que pueda contribuir ál bien estar de ellos, se les ha cuidado en el vestido, y se les atiende en sus dolencias; para lo cual se ha hecho un nuevo hospital surtido de todo lo necesario, que casi se puede decir toca en lujoso, atendida la posicion de las islas y á la dificultad de proporcionar de pronto una que otra cosa que pueda faltar, corriendo todo él á cargo de un facultativo y sus correspondientes dependientes. Este modo de proceder tan humanitario solo es dado hacerlo á una nacion cuyo Gobierno tiene por objeto el aliviar la vida penosa del trabajador; pues aunque cualquier particular se hubiere propuesto lo mismo le habria sido ruinosa y tal vez imposible de realizar.

El trabajo que se impone á los Chinos es tambien proporcionado á la debilidad de su complexion, pues cuando cada uno de los demas trabajadores entrega diariamente un carro, y los mas dos, de cuatro toneladas de huano cada uno, el Asiatico solo es obligado á tres toneladas, que conduce en carretillas reducidas y con pequeño esfuerzo. De entre ellos ha habido muchos que han sido economicos, por cuyo medio han reunido la cantidad necesaria para cancelar sus contratos, los que han continuado trabajando voluntariamente y han sido pagados como cualquier trabajador libre. Los indolentes y perezosos han sufrido sus correcciones, pero jamas estas fueron imprudentes ni les impidieron continuar en trabajo diario; pudiendo decir, haber conseguido la reforma de muchos de ellos, por la vigilancia con que se les persigue, á lo que tienen mas temor que á otra clase de castigos.

VS. es sin duda testigo ocular de todo esto como asi mismo de todas las demas operaciones mecanicas que se efectuan diariamente en las islas, y que es tambien cuanto puedo informar sobre el particular.

(Firmado) S. SERRATE.

(Translation.)

Señor Governor-General,

Chincha Islands, June 21, 1854.

IN fulfilling the foregoing decree, I have to state to you, that instead of stigmatising as oppressive the conduct observed towards the Asiatic colonists employed in the works of these islands, it is humane, beneficent, and generous, for they receive more than what is stipulated in their contracts.

With reference to the provisions, they receive what is necessary for their maintenance, and more than the quantity agreed upon with them; for they are not subject to a specified ration, but they receive daily as much as they can consume, it having been observed that these individuals in our climate are more voracious and dainty.

The pay or wages to which, in consequence of their contracts, they are entitled, has never been refused nor delayed for a single day. Some of them receive an additional sum monthly as a recompense for their attention to their work. A warm dwelling-house, with a wooden flooring, where they can rest and sleep, has also been provided for them.

Since the present philanthropic Government have authorised the house of Messrs. William Gibbs and Co. to prevent the scarcity of anything which can contribute to their well-being, their clothing has been cared for, and the sick are attended to, for which purpose a new hospital has been constructed provided with every necessary, that it may almost be said that it borders on profuseness, considering the position of the islands, and the difficulty of immediately replacing some articles, the whole being in charge of a medical man and his assistants. This mode of proceeding, so humane, can only be effected by a nation the object of whose Government is the alleviation of the hard lot of the labourer; for if any private individual had proposed to do the same, it would have been ruinous to him, and perhaps impossible to realise.

The labour exacted of the Chinese is also in proportion to their strength; for whilst each one of the other labourers delivers daily one waggon-load, and most of them two, of four tons of guano each, the Chinese are only bound to deliver three tons each, which they carry in small barrows and with little exertion. Amongst them there have been many who have been economical, by which means they have saved the amount necessary to cancel their contracts, and they have continued working voluntarily, and have been paid the same as any other free labourer. The indolent and lazy have received corrections, but never such as are imprudent, nor which prevented them continuing their daily work; and it may be said that many have been reformed by the strict vigilance kept over them, of which they have more fear than of any other punishment.

You, Sir, are an eye-witness of all this, as also of all the other mechanical operations effected daily in these islands, and which is also all that I can report upon the matter.

(Signed) S. SERRATE.

Inclosure 4 in No. 28.

The Peruvian Consul at Canton to the Minister for Foreign Affairs.

Consulado del Peru en Canton,

11 de Febrero de 1854.

Señor Ministro,

DESDE que dirigí á VS. mi nota anterior No. 104, he visto por los papeles publicos de Hong Kong, confirmado hasta cierto punto, lo que se dijo y anuncie á VS. en mi nota de Junio 11 de 1853, respecto al estado en que salio á la mar la barca nacional "Empresa" conduciendo Chinos al Peru. Segun lo que se dice, parece que el capitan de dicha barca y mas de 100 Chinos murieron en la travesia por falta de viveres adecuados, ventilacion y exesivo numero; que todo esto originó fiebres, que no podian curarse por falta de medicinas. Como no se pierde oportunidad en que apoyar la oposicion que se hace á este trafico, que lo comparan ál de negros, se ha aprovechado de lo acaecido á la "Empresa" para renovar los ataques, de los que el Peru es participe en mayor grado.

A las Islas de Guano se las representa como otros tantos presidios, donde los Chinos son maltratados. Hasta cierto punto no puede desmentirse ésto por falta de datos, y mucho mas cuando los mismos capitanes de buques Peruanos, que vienen con huano para retornar con Chinos, dan tales noticias.

El capitan de la "Victoria" llegado hace poco, me ha dicho en el escritorio ante otra persona, "que los Chinos en las Islas de Chincha eran tratados peor que esclavos." Debido á lo dicho es que se ha copiado aqui de los papeles Ingles un despacho de Dr. Bowring (antes Superin-

tendente en China), referente á emigracion China, en el que, despues de hacer referencia á las islas de huano, dice, "que los Chinos se venden en el Peru en la plaza publica."

(Translation.)

Sir,

Peruvian Consulate, Canton, February 11, 1854.

SINCE I addressed to your Excellency my note No. 104, the newspapers of Hong Kong confirm, to a certain degree, that which was stated, and which I reported to your Lordship in my note of the 11th June, 1853, respecting the state in which the national barque "Empresa" went to sea with Chinese for Peru. According to what is stated, it appears that the captain of the above-mentioned barque, and upwards of 100 Chinese, died during the voyage, of want of provisions and ventilation, and from excess of numbers; that all this caused fevers, which could not be cured for want of medicines. As no opportunity is lost to support the opposition made to this traffic, which is compared to that of negroes, the occurrence to the "Empresa" has been made use of to renew the attacks which are mainly directed against Peru.

The Guano Islands are represented to be as so many prisons, where the Chinese are maltreated. To a certain point this cannot be denied, for want of proofs, and more so as the captains themselves of Peruvian vessels, who come with guano to return with Chinese, give such information.

The captain of the "Victoria," lately arrived, has stated to me in my office, in presence of another person, "that the Chinese in the Chincha Islands are treated worse than slaves." It is in consequence of those statements that the newspapers here have copied from the English papers the despatch of Dr. Bowring (late Superintendent in China), in reference to Chinese emigration, in which, after making reference to the Guano Islands, he says "that the Chinese are sold in Peru in the public square."

No. 29.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, February 21, 1855.

WITH reference to my despatch of the 6th ultimo, inclosing a copy of a despatch from Her Majesty's Chargé d'Affaires at Lima respecting the treatment of Chinese emigrants at the Chincha Islands, I inclose herewith, for your information, a copy of a further despatch* from Mr. Sullivan upon the same subject.

I am, &c.

(Signed) CLARENDON.

No. 30.

Sir John Bowring to the Earl of Clarendon.—(Received March 2, 1855.)

Superintendency of Trade,

My Lord,

Canton, December 18, 1854.

I HAVE the honour to accompany copy of a communication made by Mr. Robinet, the Peruvian Consul in this port, to Mr. Consul Robertson. on the subject of coolie emigrants intended to be conveyed to Peru.

I have, &c.

(Signed) JOHN BOWRING.

Inclosure 1 in No. 30.

The Peruvian Consul at Canton to Consul Robertson.

(Translation.)

Sir,

Consulate of Peru, Canton, December 12, 1854.

THE Peruvian ship "Catalina" being at Whampoa, preparing to carry Chinese emigrants to Peru, and the vessel being commanded by a British subject, and wishing to avoid any misinterpretation, or the consequences thereof, I will be much obliged if you would obtain information from his Excellency Sir John Bowring, Her Britannic Majesty's Plenipotentiary in China, and Governor of Hong Kong, &c., whether any objections will be placed in the way to prevent the said Captain from proceeding to Peru with Chinese emigrants, in virtue of the contract that he has to that effect.

In asking this of you my sole motive is the desire to avoid any losses that may arise to the parties concerned in consequence thereof, and at the same time preserve the best feeling in the unpleasant duty which devolves upon me to fulfil.

The accompanying Decree of his Excellency the Minister of Foreign Affairs in Peru, relative to the emigration of Chinese, I deem worthy of your attention, and avail, &c.

(Signed)

G. M. ROBINET.

Inclosure 2 in No. 30.

Decree.

(Translation.)

HAVING received despatches from the Peruvian Consul in Canton, together with accompanying documents relative to this, and taking into consideration—

1st. That the Republic has been accused, in foreign countries, of suspicion of reducing to slavery the colonists, and that this calumny has been repeated in private letters, and even in official documents published by the press, referring to the immigration coming from China;

2ndly. That the Chinese in Peru being free, and enjoying the same rights of all foreigners, are only obliged to comply with the contracts by them freely executed, according to the laws of the country;

3rdly. That the provisions formerly made by the Government, that the Asiatic expeditions might be conducted in the best manner possible, with safety and convenience to the immigrants, not having been sufficient, and in order to enforce the resolutions that apply to the object in view :

Resolved—

1. That the authorities of the Republic lend their aid and protection to the Asiatic colonists, as well as the parties who have entered into contract with them, in their respective positions, for the complying or fulfilling their contracts, according to the laws of the country.

2. That no contract with Asiatics, the term of which having transpired, can be extended for more time than that stipulated in China, and if the desire of the colonist be to renew the same, or effect another, it will be necessary for his concurrence, together with that of the contractor, before a Justice of the Peace, who shall authorize the respective act, in which shall be expressed all the conditions of the agreement.

3. That no tribunal of the Republic can admit demands for expenses or chartered vessels for the Asiatic immigration, without the expedition having obtained legal permission from the Consulate of the Republic, designated in posterior Articles, the Government taking care to prevent the landing of any expedition wanting the necessary requisites, in order

to avoid the introduction of men of bad habits, and those incompetent to perform the duties assigned to them.

4. That no tribunal or official authority can consider valid the contracts of the Asiatics that may be introduced into the Republic after the 1st of May, 1855, without such contract having the certificate and seal as indicated in the following article.

5. That the persons that embark in Asia for Peru should be, first, young, moral, healthy, and industrious; secondly, that care must be taken to ship them in good, sound vessels, which are in condition to perform the voyage, and provided with sufficient wholesome food, and not more to be received on board than the number allowed according to tonnage of vessel; thirdly, that at the foot of every contract celebrated hereafter in Asia with emigrants, must appear the certificate and seal of the Peruvian Agent or Consul, as designated in the following Article, who should certify to the free and voluntary agreement made between the emigrants and contractor, witnessed by two persons.

6. The Peruvian Consuls in China will carry out the views contained in Article 5, taking care that the obligations on the part of the contractors be exactly observed; for which purpose, and before the contracts are legalized, they will exact from the said contractors certificates and necessary vouchers regarding the condition of the vessel and provisions, the state of the coolies, &c., having power to authorize persons versed in such matters to investigate the condition of the same.

Published by order of his Excellency.

(Signed) GOMEZ SANCHEZ.

No. 31.

Sir John Bowring to the Earl of Clarendon.—(Received March 2, 1855.)

Superintendency of Trade,

Hong Kong, December 31, 1854.

My Lord,

I HAVE received your Lordship's despatch dated 24th October, and the inclosure from the Colonial Office.

I still retain the opinion that the authorized sale of women in a British colony would lead to intolerable abuses, but as I have no reason to suppose that your Lordship adopts the views of the Colonial Land and Emigration Commissioners, I deem it unnecessary to pursue the controversy.

In reference to the third paragraph of their letter, in which it is stated that the "Martin Luther" was chartered "to take in emigrants at such port as Mr. White or the Governor (of Hong Kong) might direct between Canton and Amoy, inclusive, it had escaped our notice that between these two ports there is none, except Macao, at which British vessels could legally trade," I have only to say that Macao is not between Canton and Amoy.

I hope my disposition and determination to employ every proper influence at my disposal, in order to check the dreadful crimes and miseries which have been connected with the transport of Chinese coolies to foreign countries, will not be interpreted into any unwillingness on my part cordially to aid and further a well-devised and properly-protected system of emigration to Her Majesty's Colonies, but I have had an experience too practical and painful to allow me to be an unconcerned spectator of the manner in which the coolie trade is too frequently conducted.

I have the honour to inclose another copy of Mr. Medhurst's article on the social relations in China, which was printed in the transactions of the Chinese branch of the Asiatic Society.

I have, &c.

(Signed) JOHN BOWRING.

No. 32.

Mr. Sullivan to the Earl of Clarendon.—(Received March 21.)

(Extract.)

Lima, January 21, 1855.

THE proclamation published in the Government Gazette of Hong Kong prohibiting the conveyance of Chinese labourers to the Chincha Islands on board British vessels, has alarmed the proprietors, many of whom are British subjects, and Mr. Peter Conroy, on his own part and on the part of Señor Robinett his brother-in-law, has expressed his hope that no impediment will be placed to Chinese immigration to Peru; he has shown to me one of Señor Robinett's contracts, in which it is expressly stated that no Chinese is to be made to work in the Chincha Islands, and he has assured me that in all those contracts that clause is inserted.

No. 33.

Sir John Bowring to the Earl of Clarendon.—(Received March 31.)

Superintendency of Trade,

Hong Kong, February 3, 1855.

My Lord,

MY despatch of 18th December referred to a communication I had received, through Mr. Consul Robertson, from the Peruvian Consul at Canton on the subject of coolies conveyed to the Chincha Islands, and as your Lordship's despatch dated 8th December, confirms the assurance given by the Peruvian Government, I have issued the notification, of which a copy is inclosed, removing the prohibition announced in the "Gazette" of the 11th September last, regarding the shipment in British vessels of Chinese labourers to the said islands.

I have, &c.

(Signed) JOHN BOWRING.

Inclosure in No. 33.

Government Notification.

Diplomatic Department.

WHEREAS Her Majesty's Government has been officially informed that measures have been taken to correct the abuses connected with the transit to and employment of Chinese labourers in the Chincha Islands, the prohibition against Her Majesty's subjects being engaged in the conveyance of Chinese subjects to the said islands, announced by proclamation in the "Hong Kong Gazette" dated the 11th September, is hereby withdrawn.

By order.

(Signed) W. WOODGATE,

Officiating Secretary in the Superintendency of Trade.

Victoria, Hong Kong, January 29, 1855.

No. 34.

Sir John Bowring to the Earl of Clarendon.—(Received March 31.)

Superintendency of Trade,

Hong Kong, February 8, 1855.

(Extract.)

I HAVE the honour to forward to your Lordship copy of a despatch dated Amoy, 30th ultimo, from Mr. Acting Vice-Consul Winchester, on the subject of coolie emigration from that neighbourhood.

Your Lordship may be assured that if the intentions of obtaining women to accompany male emigrants be carried out, the object can only be accomplished, on any considerable scale, by the direct sale or the covert kidnapping of females.

Inclosure in No. 34.

Acting Vice-Consul Winchester to Sir John Bowring.

Sir,

Amoy, January 30, 1855.

IN compliance with the instructions to keep Her Majesty's Government informed of the progress of coolie emigration, I have the honour to acquaint your Excellency that the British ship "Zetland," 1,283 tons, chartered to take coolies from this neighbourhood to Peru, and consigned to Messrs. F. D. Syme & Co., arrived here on the 13th instant.

Mr. Consul Parkes will probably have informed your Excellency that he at once applied to the consignees, to learn whether the emigrants were to be shipped at Amoy, and the destination of the vessel, and was assured that they were to be taken on board at some distance from this along the coast, and that their services were intended, not for the digging of guano in the Chinchas Islands, but the construction of a railway in the continental territory of Peru.

About the time Mr. Parkes was leaving, I was told that the proceedings of the crimps were calculated to create an impression that the coolie trade was about to be resumed in Amoy. I deemed it desirable, therefore, to take an early opportunity of repeating to Mr. Syme what I was aware had been strongly enforced on him by my chief; viz., the danger of operating from Amoy as a basis of coolie emigration. I warned him that no support was to be expected from this office, and that it might be my duty, if called on by the local authorities, or by the apprehension of such an outbreak as occurred in November 1852, to take active measures to preserve the legitimate commerce of the port from the risks to which it might be exposed. I impressed on him that a considerable section of the population of this city were opposed to the system; that the collection of large bodies of emigrants, according to the former practice, was certain to create irritation, and the necessity of exercising a vigilant superintendence over the proceedings of his brokers, so that only voluntary emigrants might be shipped, and all imputation of kidnapping be avoided.

I gathered from Mr. Syme that it is intended the "Zetland" shall be anchored beyond Ngo-soo, probably at Ting-tai Bay, about twenty miles distant from the port. He promised that there should be no collections of men in the neighbourhood of Amoy, and that he would exert every possible supervision over the acts of his brokers.

I confess that I cannot see this prospective renewal of emigration without apprehension. I make no doubt, should the "Zetland" succeed in obtaining a suitable cargo, it will be resumed here by the parties in charge of the Havana contract. It is understood that at Swatow men can no longer be procured with the same facility, and the temptation once more to try Amoy will become too strong to be withstood.

I am well aware that there is no express authority to interfere with the shipment of Chinese emigrants in British vessels to foreign countries from the dominions of the Emperor; but, carried on as the system is through the medium of native agency, it can always be checked through the action of the mandarins; and should it appear advisable, I will not fail to apprise them that I am prepared to afford them every necessary support.

With the north-east monsoon emigration was resumed at Swatow, and I have to report to your Excellency the following particulars:

Left in American vessel "What Cheer," for Honolulu	-	-	200
Left in Spanish vessel "Bella Gallaga," for Havana	-	-	400
Left in English vessel "Roxburgh Castle," for Havana	-	-	600

Two English vessels, "Martin Luther" and "Carpentaria," of 1,241 and 1,460 tons respectively, are at, or on their way to, Swatow.

The parties in Havana who have taken the existing contract are, I am told, under obligation to supply a certain number of female emigrants;

and the attempt to ship them will shortly be proceeded with at Swatow. I venture to predict it will have so little success that it must be soon abandoned. In the meanwhile, no small mischief may be the result.

I have, &c.

(Signed) CHARLES A. WINCHESTER.

No. 35.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, April 7, 1855.

I HAVE to acquaint you that I approve of the notification issued by you, and of which a copy is inclosed in your despatch of the 3rd of February last, removing the prohibition which you had previously issued regarding the shipment of Chinese coolies for the Chincha Islands in British vessels.

I am, &c.

(Signed) CLARENDON.

No. 36.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, April 7, 1855.

I HAVE received your despatch of the 8th of February last, inclosing a copy of a despatch from Mr. Acting Vice-Consul Winchester, on the subject of coolie emigration from Amoy, and I have to state to you that I approve of Mr. Winchester's language and proceedings in this matter.

I am, &c.

(Signed) CLARENDON.

No. 37.

The Earl of Clarendon to Sir John Bowring.

Sir,

Foreign Office, April 23, 1855.

WITH reference to former correspondence, I transmit to you herewith a copy of a despatch* from Her Majesty's Chargé d'Affaires at Lima relative to the shipment of Chinese coolies to the Chincha Islands.

I am, &c.

(Signed) CLARENDON.

No. 38.

Sir John Bowring to the Earl of Clarendon.—(Received April 30.)

Superintendency of Trade,

Hong Kong, March 2, 1855.

(Extract.)

I HAVE the honour to forward to your Lordship a copy of a communication from Mr. Acting-Consul Winchester, dated Amoy, 14th February, giving information respecting a contract entered into by the French Government for a supply of 900 Chinese emigrants, intended for the colonies of Guadaloupe and Martinique.

The same despatch states that the "Carpentaria," chartered, as I understand, to take in coolies for a British colony, is loading at an illegal port, and beyond Consular control.

Inclosure in No. 38.

Vice-Consul Winchester to Sir John Bowring.

Sir,

Amoy, February 14, 1855.

I HAVE the honour to report to your Excellency that a contract has been made for the introduction of 900 Chinese immigrants to the French colonies of Guadeloupe and Martinique, during the present year, between the Minister of Marine and Colonies, M. Théodore Ducos, for the Colonial Governments, and two merchants of Hâvre, MM. Malavigne and Ridet.

One-sixth of the whole number are to be women, but on this head the contractors will be excused if they can prove the impossibility of procuring females.

The emigrants will be shipped under the law enacted by the French Government relative to this subject, which enjoins ample space and comfort, and contains, with many excellent and humane provisions, some minute regulations that appear scarcely necessary to a well-regulated emigration from this country.

According to the Ordinance, the shipment ought to be made under the superintendence of a special Emigration Agent; and the whole contract, I believe, to be subject to the control of his Excellency M. Bourboulon.

The coolies for the "Zetland" are collecting at Kam-bay, the Catholic village near the Nantac Pagoda, and I hear with pleasure that the mandarins have permitted the body of Changpoo insurgents, reported as having shut themselves up in the Old Fort, commonly supposed to have been erected by Kok-sing-a, to join the emigration.

About a week ago, 190 emigrants were dispatched in a lorcha from Ngo-soo to the "Carpentaria," loading at Swatow.

I have, &c.

(Signed)

CHARLES A. WINCHESTER.

No. 39.

*Sir John Bowring to the Earl of Clarendon.—(Received April 30.)**Superintendency of Trade,*

My Lord,

Hong Kong, March 5, 1855.

I HAVE the honour to acknowledge your Lordship's despatch dated 6th January, on the subject of Chinese emigrants conveyed to the Chinch Islands.

I cannot but rejoice in the solicitude displayed by Her Majesty's Government to check the horrible abuses connected with the shipment of coolie emigrants. A frightful case has just occurred at Amoy, where a British vessel, the "Inglewood," Captain Burton, has been stopped, having on board forty female children, the eldest only eight years of age, who had been kidnapped or purchased at Ningpo. The facts were reported to the Vice-Consul at Amoy by some of the sailors, who suffered from the stench, misery, and disease of these poor, unprotected little ones. The subject is under investigation, but there is infinite difficulty in dealing with it, the principal parties being Spanish and Portuguese subjects. I have more than once pointed out to your Lordship the consequence of the attempts to obtain female emigrants from China, which I observe is made a condition in the Spanish, and, in a modified form, in the French contracts. I beg to state that the "Inglewood" was consigned to the house of a British subject, he being the Spanish Vice-Consul, and the principal Emigration Agent. He repudiates all guilty knowledge of the business. I am in communication with the naval Commander-in-chief on the subject, to which I shall again refer when the depositions reach me.

I have, &c.

(Signed)

JOHN BOWRING.

No. 40.

Sir John Bowring to the Earl of Clarendon.—(Received April 30.)

My Lord,

*Superintendency of Trade,
Hong Kong, March 6, 1855.*

HAVING, as stated in my despatch dated yesterday, been in communication with Sir James Stirling, the naval Commander-in-chief, on the subject of the "Inglewood," I have received from his Excellency a despatch, of which I have the honour to inclose a copy, and which I have also sent to Mr. Vice-Consul Backhouse. Your Lordship shall receive further details when the investigation is completed; but in the meanwhile, I wish your Lordship should know that no time has been lost in endeavouring to check these intolerable abuses.

I have, &c.
(Signed) JOHN BOWRING.

Inclosure in No. 40.

Rear-Admiral Sir James Stirling to Sir John Bowring.

Sir, "Winchester," at Hong Kong, March 4, 1855.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 2nd instant, inclosing a despatch from the Acting Vice-Consul at Amoy, and I learn from it with great surprise that any British merchant-ship can have taken part in a transaction of the nature therein described.

I shall give instructions that whenever cases of the kind shall fall under the notice of any of Her Majesty's ships under my command, that the Commander shall immediately put in full force and effect the Anti-slavery Acts of Parliament.

I have, &c.
(Signed) JS. STIRLING.

No. 41.

Acting Secretary Woodgate to Mr. Hammond.—(Received April 30.)

Sir,

*Office of the Superintendent of Trade,
Hong Kong, March 14, 1855.*

IN reference to his Excellency Sir John Bowring's despatch of 5th instant, I have the honour to forward herewith, for the information of the Right Honourable the Secretary of State for Foreign Affairs, copies of three despatches received this day at this office from Mr. Acting Vice-Consul Winchester, in charge of the Amoy Consulate.

I have, &c.
(Signed) W. WOODGATE.

P.S.—The accompanying despatch, bearing on the subject of emigration from China, I have thought it my duty to transmit it, in addition to the above.

W. W.

Inclosure 1 in No. 41.

Vice-Consul Winchester to Sir John Bowring.

(Extract.)

Amoy, March 2, 1855.

I AM to detail to your Excellency my proceedings in reference to the unfortunate female children brought here by the "Inglewood."

My first step was to pay a visit to these poor unfortunates in company with Mr. Sinclair, the result of which your Excellency will find stated in the inclosed memorandum.

After much anxious deliberation, I felt it would be inconsistent with my duty to abstain from reporting the matter to the Haefang, who is in charge during the absence of the Taoutae; and I directed Mr. Sinclair to make this communication at a personal interview, in the manner most calculated to leave the Military Prefect perfect liberty of action, and to show that we were not anxious to throw the children on his hands as a burden we wished to get rid of.

The Haefang most promptly declared the utter illegality of this transaction, and expressed a hope that the master and the shipper might be both punished. He intimated that he would acquaint us with his views respecting the children in the course of next day.

In the meantime, besides seeing to the most necessary arrangements for the comfort of the children, I employed myself in taking the more important of the depositions, and the declaration inclosed.

Finding the day had elapsed without any intimation from the Haefang as to the children, I deemed it my duty to inclose copies of depositions, &c., to Mr. Conolly, Acting Portuguese Consul, for the information of the Governor of Macao, and to call upon him officially to aid me in protecting them from any clandestine attempt of Martinez to possess himself of their persons. I made a similar request to him as Acting Spanish Vice-Consul.

I had scarcely dispatched these letters, which your Excellency will find accompanying this despatch, before the Haefang intimated that, after having consulted the Admiral, he was prepared to take charge of the children, with the view of betrothing or placing them as servants in families in the neighbourhood. I sent the Consular messenger with his Wei-yuen to see the children, and they were to be taken charge of by him to-day.

The Haefang at first expressed a wish that the interpreter should visit the children with him; it appears, however, that he has since deputed his principal officer to the office of conveying them to Amoy. I have instructed Mr. Sinclair, if a favourable opportunity should occur for impressing upon the Haefang the propriety of treating these unfortunates with kindness and humanity, to do so, and as an assistance to his argument to state that the care of these children was not thrown upon him as a burden we wanted to relieve ourselves from, but that I was prepared, in event of his declining, to have pledged the honour of my Government for the expenses necessary to their being placed in a position which would ultimately lead to their becoming free, and probably useful, members of society.

The Consular messenger who attended on the occasion has just reported to me the total number of the children taken charge of by the Haefang's people as forty-four.

Her Majesty's sloop "Racehorse" having arrived yesterday evening from Shanghae, I have communicated all my proceedings and the depositions, &c., to Captain Barnard, who will determine whether it is his duty or not to seize the vessel.

I find that I have omitted, in speaking of the course of allowing the children to proceed to their destination, to add that I only contemplated such a step under the faith of a guarantee from the Portuguese Vice-Consul here that the children's arrival should be reported to the Govern-

ment of Macao, and that they should not be withdrawn from its supervision till their ultimate fate could be determined by Governor Guimaraes and your Excellency.

I should conceal from your Excellency my sentiments, if I did not say that the real intention and destination of this shipment is still a mystery. As soon as the captain is better, I shall proceed to question him according to the permitted forms where a party stands suspected of an offence; nor have I given up hopes of tracing the letter addressed to Hokien, but it seems politic to let the matter rest a little first, before proceeding to make inquiries which would at present immediately put the parties on the alert.

In connection with this shipment, my mind has several times reverted to those contracts which include what is called the emigration of a certain number of women. But beyond the general suspicion which their terms create, I have not been able to satisfy my mind by any tangible proofs that this is the case. Should Martinez turn up, I shall press his examination and punishment by Mr. Conolly, and am of opinion that certainly at Ningpo, and probably at Macao, important information on the matter may be obtained.

Having taken the depositions in duplicate, I forward an original set to your Excellency, that they may be available in event of the case being removed to Hong Kong, and have therefore not numbered the inclosures in the usual way.

I earnestly hope that this account of my proceedings may be satisfactory to your Excellency, whom I shall not fail to keep advised of all that passes in relation to the subject, which has been to me one of the deepest anxiety and care.

Inclosure 2 in No. 41.

Memorandum.

ACCOMPANIED by Mr. Sinclair, I proceeded on board the "Inglewood," where we found a person who showed us the house in Koolongsoo where the young female children were lodged. The captain was sick and in bed, and as I had that morning received from Dr. Hirschberg an account that he was in a great state of mental excitement, and labouring under fever, I did not ask to see him, but contented myself with directing the chief officer to come to me at the Consular Office, when we returned to Koolongsoo.

We found the children, forty-four in number (as was afterwards ascertained, on the Haefang taking charge of them), in a house situated in the northern village of Koolongsoo. They were under the charge of two Chinese cooks, who had been hired to attend them at Chin-hae; several Amoy females of respectable appearance were tending them. The children, with one or two exceptions, seemed in general good health, but were many of them affected with itch, scabies, porrigo capitis, &c. &c.

However disgusting the sight, and I confess myself to have been greatly affected by it, the children seemed tolerably cheerful, and certainly showed no appearance of personal ill-treatment. They were being washed and cleaned, the elder by themselves, and the younger by their Amoy female attendants. We saw that there were several bags of rice, dried fish, and other provisions in the house for their use. They were as comfortably housed and fed as the children of such poor people would be at home.

The cooks said they were waiting for the Portuguese who had bought the children, to come to Amoy, and thence to go on to Macao with them; that all the money they had received from Martinez was, each an advance of one month's personal wages. They had been bought, according

to the story of the cooks, from their parents at from five dollars to eight dollars a-piece, at Ningpo, Chin-hae, and Tsze-ke.

I impressed upon the attendants the propriety of treating the little creatures with humanity and kindness, and left for the Consulate Office.

(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul in charge.

Amoy, February 27, 1855.

Inclosure 3 in No. 41.

Deposition.

RICHARD SANDECOMBE, aged 29, born at East Loo, in Cornwall, duly sworn in the usual form, saith :

I am chief mate of the "Inglewood." I know Martinez. I saw him about a day or two before these children came on board ; he then told me he was to bring them. He told me he was born at Macao, and of Portuguese origin. He was rather fair for an Asiatic Portuguese, and had European features ; he was about five feet four inches ; very slender ; he had a short flat nose ; his hair was dark brown ; his eyes dark ; he had on a pelisse-coat, furred on the inside ; a pair of green tartan trowsers ; he had a pair of thin black whiskers, and thin dark moustache. He talked very good English, and I believe he could speak Chinese very fluently ; I mean the Ningpo dialect, which the interpreter of the ship told me he could speak perfectly.

I first saw him on board the ship about a month ago, and it was the day before the children came on board. The children were shipped on a Sunday at Chin-hae, after the vessel had left Ningpo ; it was, I believe, the 4th of February ; we were two days dropping down off Chin-hae before the children came on board ; we got on shore on the mud-flat, and lay there four days. As soon as we got on shore, the children were taken out and lodged in a house on the other side of the river from Chin-hae ; and they did not come off till the ship was afloat again.

I don't know Martinez' first or Christian name. I asked him where they were going to, and he replied they were purchased for the Spanish Government at Manilla, and were going to work in the cigar factory there. He told me that in plain English, so that there could be no mistake as to his meaning. He told me that the children had cost him from three to five dollars each, and gave me to understand that they did not belong to him personally, but to a man of the name of Robino, at Ningpo.

It was the intention of Martinez to have accompanied the children ; but after the children were embarked the second time, he was taken ill of fever, of which he chiefly complained. He told me when he got the children to Amoy, he intended to ship them in the first vessel which was going to Macao, and from Macao they were to be forwarded to Manilla.

Martinez had taken up his quarters on board the ship with his luggage before he went on shore, sick. He, Martinez, at the time he went on shore, told me that the captain had offered him the passage-money back. He said he would take the children back, if the captain would pay him the expense which he had been at since the children had left Ningpo. The captain refused to do so. Martinez told me there was a letter on board given to the interpreter of the ship, named Chongheen, addressed to a man in the employ of Tait and Co. ; not addressed to the firm of Tait and Co. Martinez told me he hoped to be in Amoy as soon as the ship, if he got better, as he did not doubt he would. He did not say how he was to come down.

Martinez did not tell me to whom the letter was addressed ; he simply said it was to a man in Tait's office. I had no idea to what countryman it was written.

Chong-Jeen lives now on shore with Tan-Tanhet, the supercargo of the vessel.

The children were provided with rice, dried shrimps, and sweetmeats, on the way down, and were attended to by two Chinese, who came on board at Chin-hae before we sailed. The first two men who attended to them were dismissed, one of them for stealing the children's bedding, and were replaced by these two who are with them on Koolongsoo. These two men cooked for them, and attended to them altogether.

The stench from the children at times was very bad; they were all sea-sick; there was a water-closet in their cabin, and they had soil-pails; but the place was too small for such a number; they could manage to sit down comfortably.

I have no doubts in my own mind that the captain of the "Inglewood," Richard Burton, knew what these children were as well as I did myself. I have no doubt that the captain knew they were purchased children. He was at first averse to taking them, but was over-persuaded to do so. I understood this from another Portuguese, who first came to treat about their passage about a week before they came on board. The captain never consulted me about taking them beyond telling me they were coming. I did not remonstrate against taking them on board at the time. I pitied the children, and thought it was a sad thing to see them bought and sold in that way. I did not like their coming on board; but it was not my business to say anything. I am not dissatisfied with the ship, and am on good terms with the captain.

Nobody came on board at Amoy to inquire after the children, or to relieve the ship from them. There has only been one man, who came on board yesterday evening, to inquire where the children had been put.

All that I have said is the truth, so far as I know it.

(Signed) RICH'D. SANDECOMBE.

Sworn before me, at Amoy, this 27th day of February, 1855.

(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul.

Inclosure 4 in No. 41.

Declaration.

O-CHONG-ENG, aged 28, born at Singapore, saith:

I am not a Christian. I am English interpreter of the ship "Inglewood." I can read English a little, both printed and written.

Antonio Martin gave me a letter to Chin-hae, which he said was about the children. He told me to take the letter, when we arrived at Amoy, to Tait's office. I replied that the letter was for a Chinaman whom I did not know. The name of the address on the letter was Ho-kien. The letter I was to deliver to Tait's office at Amoy was a Chinese letter in its outside appearance.

I know that the children we brought down in the "Inglewood" from Ningpo, were bought children. The passage money for them belonged to the captain, not to Tan-Tan-het, the supercargo.

I know Martinez; he was a Portuguese; he spoke English well, and the Ningpo dialect. He said he had been at Ningpo four or five years. He was a Macao man. I don't know whether these children belonged to him or Robino.

Besides the letter for Ho-kien, in Amoy, which I was to take to Tait's office, Martinez gave me two other Portuguese letters addressed to Macao. I have not got them now; I left them with Mr. Connolly; I gave them into his hand.

Martinez never said to me that Mr. Connolly, or Tait and Co., would take any charge over the children; all he said was to deliver the letters there, which I did.

Martinez told me these children were to go to Manilla to make cigars, after being first taken from Amoy to Macao.

I declare solemnly what I have stated to be the truth.

(Signed) O-CHONG-ENG.

Declared to and signed before me, at Amoy, the 27th of February, 1855.

(Signed)

CHARLES A. WINCHESTER,
Acting British Vice-Consul, in charge.

Inclosure 5 in No. 41.

Deposition.

JOHN CONNOLLY, aged 32, of the firm of Tait and Co., a native of Ireland, being duly sworn in the Catholic form, depones :

On the arrival of the "Inglewood," the supercargo's interpreter came on shore to our office, the ship being consigned to us ; as usual with these people, he delivered me all the letters he told me he had. There were none addressed to the house or myself. There were two Chinese letters, and one addressed to a M. Gonsalvez, in Macao. The Chinese letters were given to one of our Chinese servants, who was told to distribute them to their addresses. The letter for Macao was put into the despatch-box as usual, and I believe it has gone there. I took no particular notice of these letters, further than forwarding them in the usual way, because they were delivered to me without any observation.

O-chong-Eng told me the vessel had been aground once or more, but he said nothing about passengers, and I did not ask if there were any on board. This was on Saturday. I afterwards heard from the captain the same evening that he had some passengers on board ; he said they were children, but did not mention their number, and wished that the parties concerned would take them away, as they were a great inconvenience. He mentioned his hopes that they might be transferred to a lorch, but I was busy, and paid little heed, not knowing that there was anything unusual or requiring special interference.

I have seen the deposition of the mate of the vessel, and with respect to what he mentions of Martinez I know nothing at all ; he is entirely a stranger to me. To the best of my belief he is also a stranger to every other person in our house. I had not even heard of him before his connection with this case.

With regard to the children being intended for Manilla, I believe such is not the case, that there is no such intention. If such were the case, I should likely have known it officially. Nothing of the kind has ever been intimated to me.

None of our servants in the house are allowed or are in the habit of conducting business of any sort, unless under the direction of the principal, and therefore I suppose the mention of some of our servants could only have been made to Captain Merton to induce him to take them. There was no authority for any such business.

I repudiate and deny any connection in any possible way, mediately or immediately, with this shipment, with which neither I nor Tait and Co. have anything to do.

(Signed) JNO. CONNOLLY.

Sworn and signed before me, at the British Consulate, Amoy, this 28th day of February, 1855.

(Signed)

CHARLES A. WINCHESTER,
Acting Vice-Consul, in charge.

Inclosure 6 in No. 41.

Deposition.

HENRY JULIUS HIRSCHBERG, Member of the Royal College of Surgeons, London, a native of Prussia, aged 40, duly sworn, depones :

I am now attending medically Captain Burton of the "Inglewood,"

and the ship generally. The captain is suffering from continued fever; is at present in a state of great irritability and excitement, and does not give correct or exact answers.

Besides the captain, the second mate and an American acting as a steward are suffering under the same disease, in more or less advanced stages; both are at present delirious.

The cause of this sickness is evidently the smell and stench of the forty-seven young children, who were on board in an adjoining cabin, most of which young children are suffering from diseases of the skin. The chief mate has escaped illness, but I understand that he kept purposely out of the way.

I was called on board on Saturday evening, and again went on board on Sunday morning.

On Saturday night I did not see the children, but on Sunday morning, when I was there, the door of the cabin was opened by a Chinaman. I felt immediately a most oppressive stench, and I had a serious headache during the whole day, and felt sick several times.

I consider the cabin which I saw was much too confined for such a number of children.

I recommended them to be immediately removed from the vessel. But whether it was done from my recommendation I do not know.

The captain is not at present a fit subject for examination, and I am anxious to have him removed on shore.

I have not been called on to attend to the children personally by any one.

(Signed) H. J. HIRSCHBERG.

Sworn before me, at the British Consulate, Amoy, this 28th day of February, 1855.

(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul, in charge.

Inclosure 7 in No. 41.

Vice-Consul Winchester to the Acting Portuguese Consul at Amay.

Sir,

Amoy, March 11, 1855.

I HAVE the honour to inclose you, in your capacity of Acting Portuguese Consul at this port, deriving your authority more immediately from the Government of Macao, the following documents for the information of his Excellency the Governor of that Colony, charged with the general superintendence and control of Portuguese subjects in China, viz.:

1. True copy of deposition of Richard Sandecombe, Chief Mate of the British ship "Inglewood."
2. True copy of deposition of John Connolly, Esquire, a British merchant trading at Amoy.
3. True copy of deposition of Henry Julius Hirschberg, surgeon at Amoy.
4. True copy of declaration of O-chong-Eng, supercargo's interpreter of the "Inglewood," a native of Singapore.
5. A memorandum of my visits to these children, under my hand and seal.

From the documents—the main facts stated in which have been admitted to me by the master, who is however too ill to be examined—you will perceive that forty-seven female children, of tender years, purchased from their parents and guardians at Ningpo, were shipped through the agency of Antonio Martinez or Martin, a Portuguese of Macao, on board the "Inglewood," for Amoy.

This shipment was not reported at the British Consulate at Ningpo, and was made in a clandestine manner by the master of the "Inglewood."

These forty-seven girls were placed in the charge of two Chinese cooks, who stated to Mr. Sinclair that they each received a month's advance of wages from Martinez, but no other funds of any description.

No sufficient provision was made by Martinez for their comfort on the voyage, where they were huddled into a cabin so confined, that the result has been a pestilence in the vessel; or for their sustenance at Amoy, where no one has appeared to claim them. They are now supplied with food and necessaries under my official directions, by the English firm of Tait and Co., who are the agents of the ship.

A clearer case of slave-trading it is impossible to suppose, and the master of the "Inglewood" will be held amenable for the violation of the laws of his country.

The faith of Portugal and England has been so often interchanged in Treaties, Conventions, and Decrees, for the abolition of all foreign trade in slaves, and the conduct attributed on the evidence inclosed to Martinez, is so plain a violation of the laws of the colony of Macao, which apply to all Portuguese in China, and will, I firmly believe, be so certainly condemned by his Excellency Senhor Guimaraes, that I feel justified in requesting you in your official capacity to interdict and prohibit Antonio Martinez, or any other Portuguese subject whatsoever, from asserting any right or property whatsoever in these children, or from removing or attempting to remove them, or any of them, without our joint cognizance and consent, from their present habitation in Koolongsoo. I make this request to you in the spirit of the Treaty engagements existing between Great Britain and Portugal, which on the subject of foreign Slave Trade are of the most binding nature.

I have also the honour to request, that on the arrival of Martinez, or other Portuguese subject on his behalf, you will be pleased to examine him in reference to these children, and to communicate to me a copy of such examination.

I have already communicated by the "Mazeppa" the principal facts of this case to his Excellency Sir John Bowring, Her Britannic Majesty's Plenipotentiary, &c.; and as I felt it my duty that the local Government at Amoy should not be led to suppose such shipments were permitted in British vessels, I directed Mr. Sinclair to state to the interim principal authority that it had, however illegally, occurred in a British ship. The Haefang's answer was, that such purchases by foreigners in China were illegal, and that he hoped both the shipper and the master would be punished: as he has not been pleased to give any directions regarding the children within the time he appointed for so doing, it is possible he may not consider it advisable to interfere; under the circumstances I do not think it would be humane or right in me to press him.

The fate of these children is a matter of the most urgent moment, and I feel called on to pledge—subject to the sanction of his Excellency Sir John Bowring—the credit of the English Government for the disbursement of whatever funds may be necessary for placing them in a position where they may ultimately become useful and free members of society, or in fulfilling any wishes which the Chinese authorities may indicate regarding them.

I invite you to do me the favour to discuss this matter at a personal interview, when we may be able to consult on all its most important bearings.

Receive, &c.

(Signed) CHARLES A. WINCHESTER.

Inclosure 8 in No. 41.

Vice-Consul Winchester to the Acting Spanish Consul at Amoy.

Sir,

Amoy, March 1, 1855.

A STATEMENT has been made to me that forty-seven Chinese female children, of tender years—purchased from their parents and guardians in Ningpo and its neighbourhood—brought here illegally by the British ship "Inglewood," and now supported by my official directions in a tenement in the northern village at Koolongsoo, are intended for the Government cigar factory at Manilla.

I do not believe this for a single moment, but beg to call on you, in the name of the numerous obligations which exist between Great Britain and Spain for the prevention of slave-trading; to interdict and prohibit any Spanish subject or subjects whatsoever from asserting any right or property in these children, or removing or attempting to remove them without our joint knowledge and consent.

Receive, &c.
(Signed) CHARLES A. WINCHESTER.

Inclosure 9 in No. 41.

Vice-Consul Winchester to the Acting Portuguese Consul at Amoy.

Sir,

Amoy, March 1, 1855.

SINCE I had the honour of addressing you, the Haefang has intimated to me his intention to take charge of the young female children brought here in the "Inglewood," who are to be betrothed or given away to Chinese people here, to be brought up as servants of families.

The Haefang has sent a person to visit them to-day, and intends removing them to-morrow.

I advise you of this as the official representative of the Government of which the shipper Martinez is said to be a subject, that you may act in the case as you see fit.

Receive, &c.
(Signed) CHARLES A. WINCHESTER.

Inclosure 10 in No. 41.

Depositions.

JOHN NORFOR, Middlesex, aged 27, seaman, ship "Inglewood," duly sworn, saith:

I remember these children coming on board in a very filthy state at Chin-hae, on a Sunday about 11 A.M., about the middle of February.

I thought myself, and it was the current opinion and talk of the vessel, that these children were bought to be sold again.

I heard the Portuguese, who brought the children on board, ask the captain if he could take two more. The captain told him in my hearing to put them amongst the rest, if he could find room. The two more were put on board. This was after the children came on board the second time.

I felt convinced in my own mind, from the circumstances and appearance of the children, that they were going to be sold. I don't think any one who saw it could have doubted it.

(Signed) JOHN NORFOR.
Sworn before me, at Amoy, this 2nd day of March, 1855.
(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul, in charge.

John Thomas Tucker, born in London, 32 years of age, being duly sworn, saith:

I am cook and steward of the "Inglewood." I remember the children coming on board off Chin-hae, about the beginning of February. There were more than forty children. A Portuguese gentleman came on board with them, and remained with them whilst the ship was aground. He then took them on shore on the other side of the river, abreast of Chinhae, to a large house, where they were to remain till the ship got off. I don't know how these children came into the possession of this Portuguese. I supposed that he had bought them in the way of traffic, as it was a strange thing for a man to have so many young female children. It was currently reported that the Portuguese had bought the children, and would

make a large sum of money by them. This I myself heard from an American passenger on board, now sick in hospital.

In my own mind, from the condition in which the children came on board, which was most deplorable, I did not doubt they were bought children.

There was a dreadful stench in the cabin and about the children. I got them on the poop the day before they went on shore here: it was really awful; the first mate ran away from the scene.

The Portuguese got sick before leaving Ningpo river, and left the ship. I never heard there had been any project to have the children taken out of the ship before sailing for Amoy, and going on without them.

The current rumour was, that they were to be sold to the cigar factory at Manilla.

I think the children left the ship at Amoy on Monday afternoon.

(Signed) J. T. TUCKER.

Sworn before me, at Amoy, this 2nd day of March, 1855.

(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul, in charge.

Joseph Lewis, born at Chepstow, aged 45, seaman, of "Inglewood," being duly sworn, saith:

I remember these children, and their coming on board in a bad state from disease and filth at Chin-hae, about the beginning of last month. I thought they were not in a fit condition to be at sea. The second mate, now sick in hospital, told me they were slaves. It was the general impression of the ship that it was so, and every one talked of it as such right fore and aft the ship.

(Signed) JOSEPH LEWIS.

Sworn before me, at Amoy, this 2nd day of March, 1855.

(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul, in charge.

Alexander Robertson, carpenter of the "Inglewood," aged 23, native of Aberdeen, duly sworn, saith:

I remember these children coming on board. There were first forty-two, and afterwards two or three more came. I have heard the whole number was forty-five; from seeing them I know there was more than forty. A Portuguese gentleman whose name I don't know came on board with them. The children were in a very dirty state when they came on board. I saw that.

I thought it a most extraordinary thing to see such a number of young female children brought on board. I never saw any such a thing before. I thought these poor creatures were not in a fit state to be on board of ship. A bumboat man at Ningpo made me to understand that some children were coming on board the ship who had been bought for so many dollars, and were to be sent to the cigar factory at Manilla.

The children were not sent on board at Ningpo, but came down to us in a lorcha, after we had been lying three or four days there.

From all that I heard and all that I saw, there was no doubt in my mind that these children were bought children; in fact, that they were slaves. That was the general impression in the ship, and was currently talked of.

The stench from the children's cabin, which was about 18 feet by 9 feet and 5 feet 10 inches betwixt decks, was excessive. The captain called me to get a bulkhead seam caulked, to prevent it entering his cabin, about the mouth of the Ningpo river; and he then expressed a wish that he had never taken them on board. At that time the captain said he could not sleep for the stench.

(Signed) ALEX. ROBERTSON.

Sworn before me, at the British Consulate, Amoy, this 2nd day of March, 1855.

(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul, in charge.

Inclosure 11 in No. 41.

Extracts from the Log of the "Inglewood."

Sunday, February 4, 1855.—At 11 A.M., received on board thirty-nine children as passengers for Amoy.

Tuesday, 6th.—At 11 A.M., ship touched the ground.

Wednesday, 7th.—M. Martinez, the person in charge of the passengers, took them on shore at 2 P.M.

Monday, 12th.—Hove the ship afloat by the stream cable.

Wednesday, 14th.—Received the passengers on board.

Tuesday, 20th.—Second mate sick off duty.

Saturday, 24th.—Brought up in Amoy harbour. Captain and second mate sick off duty.

Monday, 26th.—Landed thirty-nine passengers from Ningpo at 11 A.M.

A true extract,

(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul, in charge.

Amoy, March 2, 1855.

Inclosure 12 in No. 41.

Deposition.

YAP-TEAOU, messenger of the British Consulate, Amoy, aged 22, native of Fo-kien, a Catholic Christian, duly sworn on the cross, says:

I went to Koolongsoo yesterday afternoon, by order of the Acting Vice-Consul in charge, Mr. Winchester, to be present when the Haefang's officers took charge of the children who came in the "Inglewood" from Ningpo. I saw the children counted; they were forty-four in number, and the Haefang's officers took them over to Amoy in two boats.

The Ningpo men who were with them said, the children had been bought, some for 3, some for 5 dollars. From what I know of my own country, I am satisfied that all these children could not have been brought together unless they had been bought.

(Signed) YAP-TEAOU.

Sworn before me, at the British Consulate, Amoy, this 3rd day of March, 1855.

(Signed) CHARLES A. WINCHESTER,
Acting Vice-Consul, in charge.

I certify that this witness understands English sufficiently to have emitted this affidavit without an interpreter, and that he is well acquainted with the obligations of an oath.

(Signed) CHARLES A. WINCHESTER.

Inclosure 13 in No. 41.

Vice-Consul Winchester to Captain Barnard.

Sir,

Amoy, March 3, 1855.

I HAVE already forwarded to you, in original, the several depositions, declaration, memorandum, extract from log, &c., relative to the forty-four female children brought from Ningpo to Amoy, in the British ship "Inglewood."

It appears to me, that the depositions, &c., established a sufficient

legal presumption that the "Inglewood" did carry children who were bought, and therefore in the eye of the law slaves.

As a case of probable slave-trading, then, I beg leave to request you to take such steps as you may deem proper, within the exercise of the powers conferred on you by law.

The children have been taken charge of by the Chinese authorities, who are to furnish me with a written declaration that such proceedings are contrary to Chinese law in the same terms as they have used at personal interviews on the subject.

This shall be duly forwarded to you.

I have, &c.

(Signed) CHARLES A WINCHESTER

Inclosure 14 in No. 41.

Captain Barnard to Vice-Consul Winchester.

Sir,

"Racehorse," Amoy, March 3, 1855.

I HAVE the honour to acknowledge the receipt of your letter of this day's date, as also the several documents and depositions with regard to the ship "Inglewood" being engaged in conveying female children between Ningpo and this port. Taking into consideration the circumstances of the case, I have determined to forward the particulars to his Excellency Sir James Stirling, for instruction; and as Her Majesty's ship "Bittern" will be sailing for Hong Kong immediately she arrives, I will take this opportunity of forwarding copies of all the letters for his consideration. In the meanwhile I have to request that the ship may not be allowed to leave the port in my absence, being about to proceed to the assistance of a ship stranded outside the port.

I have, &c.

(Signed) EDWD. BARNARD.

Inclosure 15 in No. 41.

Vice-Consul Winchester to Sir John Bowring.

Sir,

Amoy, March 6, 1855.

IN continuation of my despatch of the 2nd instant, I have the honour to request the attention of your Excellency, and, through your Excellency, that of his Excellency Sir James Stirling, &c., to the very important letter of the Haefang to my address now inclosed.

Your Excellency will observe that the Haefang condemns this transaction as a grave violation of the laws of China; and in that sense has acted with the greatest promptitude. It is true this and other laws of China are often disobeyed; but that of itself, I conceive unless supported by strong proofs of the connivance of the Government, the utter want of power to enforce, or the confessedly obsolete character of the enactment, does not relieve a foreign friendly Power, occupying the relation we do to China, from its obligation to cause these laws to be respected by those under its control. In a technical sense, and in that only, the law makes the crime; but the law itself is enacted to repress offences previously existing, and essentially involves the idea of its own violation.

I have communicated a copy of the Haefang's letter to Captain Barnard, now at Hoe-tow Bay, rendering assistance to the stranded Peruvian vessel "Rosa A. Conroy."

The second mate and the young American are recovering slowly; but Dr. Hirschberg reported to me yesterday that the master was still in a dangerous condition, and that the consciousness of this affair was operating to aggravate all the symptoms of the disease.

I shall examine the two former as soon as they are fairly convalescent but shall refrain from arresting the master formally till Dr. Hirschberg assures me that the step may be taken without injury to his chance of recovery.

I have, &c.
(Signed) CHARLES A. WINCHESTER.

P.S. *March 7.*—Mr. Sinclair has just reported to me that he has been informed there are more than 100 female children collected on the Island of Loo-kong in the same way as those who came by the “Inglewood.” If this is correct, it strengthens the suspicion that these children were intended to meet the stipulations of the coolie contracts, and affords additional reasons for the timely interference of the British Government over those under its control. Mr. Sinclair believes this to have originated from the two Chinese sent down by Martinez himself in the “Inglewood,” people likely to know what he was doing.

C. A. W.

Inclosure 16 in No. 41.

The Maritime Prefect at Amoy to Vice-Consul Winchester.

Hienfung, 5th year, 1st moon, 16th day.
(*March 4, 1855.*)

(Translation.)

THE trade in human beings is a grave offence against the laws of China, and I have the honour to acknowledge the receipt of the forty-four female children, whom you were good enough to put under my charge on the 2nd instant, and who, you informed me, belonged to the neighbourhood of Ningpo and Shanghai, and had been brought down from Ningpo in an English merchant-vessel.

The crime in the present instance is aggravated by the objects of the traffic being young children, of whom it is not impossible that some may have been kidnapped from their parents, hence the strict necessity for disallowing this kind of trade; and I feel it my duty to request the Honourable Consul to publish severe prohibitions against it, in order to extirpate this evil system.

Having provided food, &c., and nurses for the female children so received, besides medical attendance for those that are sick, I have made a general report of the matter to each of the high authorities at Foochoo, and beg, by official letter, to request you will strictly stop the trade complained of.

Inclosure 17 in No. 41.

Vice-Consul Winchester to Sir John Bowring.

(Extract.)

Amoy, March 9, 1855.

I HAVE the honour to inclose, for your Excellency's information, copies of two letters I have received from Mr. John Connolly, in his Portuguese and Spanish Consular capacities, in reply to those I wrote him on the 1st March, and which your Excellency will find among the numerous inclosures of my despatch of the 2nd of March, sent per “Eamont.”

I should not have troubled the gentleman with the accompanying reply to the Portuguese despatch, had not his reasoning entirely overlooked the two important considerations, that the acts of the mandarins were spontaneous, and the children left destitute on my hands.

P.S. *March 10.*—I have now the honour to inclose the original and very important deposition of Eli M. Boggs, an American, in connection with this affair.

C. A. W.

Inclosure 18 in No. 41.

The Acting Portuguese Consul at Amoy to Vice-Consul Winchester.

Sir,

Amoy, March 8, 1855.

I HAVE the honour to acknowledge receipt of your two letters, bearing date 1st instant, on the subject of certain Chinese girls, brought here from Ningpo, in the British ship "Inglewood," said to have been put on board that vessel through the agency of one Antonio Martinez, who is represented as a subject of Portugal.

The provision made for the said passengers appearing to you inadequate, and the circumstances under which they came here appearing to demand it, you have thought fit to interpose your authority, and cause the said Chinese girls to be handed over to their authorities here, who have taken charge of them, I hope to benefit their condition. I shall duly forward to his Excellency the Governor of Macao, copies of the documents you have furnished me; also such remarks as the case appears to me to call for.

At present I have only to say, that the absence of the person said to have put these passengers on board the "Inglewood," precludes the possibility of my instituting any examination as to the nature of the arrangements under which they were on their way to Macao, as is alleged.

If they were wrongfully taken from Ningpo, the parties to such deserve severe punishment, and without doubt his Excellency Senhor Guimaraes will direct the same to follow any subject of Portugal who may be found to have offended its laws in such a manner.

If, on the other hand, these Chinese girls were under indenture from their parents to act as servants at Macao, a possible case, the course you have pursued with them will entail some difficulty.

In conclusion, I have only to state that I shall furnish you with a copy of any statement taken by me from the man Martinez, touching this business; but, except as appears in the depositions taken by you from the people of the "Inglewood," I am in ignorance of the existence of such a person in Ningpo; if any one, answering to the description given of him, should appear here, the parties to your depositions will, doubtless, be able to identify him.

I forward to his Excellency the Governor of Macao a copy of this communication, and have, &c.

(Signed) JNO. CONNOLLY.

Inclosure 19 in No. 41.

The Acting Portuguese Consul at Amoy to Vice-Consul Winchester.

Sir,

Amoy, March 8, 1855.

I HAVE the honour to acknowledge receipt of your communication bearing date the 1st instant, informing me that forty-seven Chinese girls had arrived from Ningpo in the British ship "Inglewood," and that a statement had reached you that these people were intended to be sent to Manilla, to be employed in the cigar factory there.

The establishment in question is worked under the immediate direction of the Spanish Government; and I am not aware of any desire to engage the services of Chinese for that business.

It is difficult for me to account for the motive by which your informant was actuated in giving rise to a groundless statement, which

I observe you did not believe when you received it. I am thankful for the manner in which you drew my attention to the numerous obligations which exist between Great Britain and Spain, and can assure you that there rests no wish that any such should be overlooked, but the contrary.

I have, &c.
(Signed) JNO. CONNOLLY.

Inclosure 20 in No. 41.

Vice-Consul Winchester to the Acting Portuguese Consul at Amoy.

Sir,

Amoy, March 8, 1855.

I HAVE the honour to acknowledge receipt of your despatch of this date, relative to the young female children brought from Ningpo in the "Inglewood," and sworn to have been shipped by one Martinez, a Portuguese.

In reference thereto I beg to remark that the steps taken by the Chinese authorities were entirely spontaneous, and in no way urged upon them by me; and that you were duly informed, in my letter of the 1st instant, of their intentions in time to have stated to them any such views as yours before me mentions, with respect to their being under indentures.

Except two Chinese cooks, entirely destitute of money, and having only received one month's advance of wages, no one appeared to be in charge of these children, or claimed to have anything to do with them.

They were supplied with food and the necessaries of life by the English firm of Tait and Co., with an express reservation that they did so solely as agents of the ship under my direction.

Under such circumstances, not to have reported their arrival to the Chinese authorities would have implicated the reputation of this office in a transaction, according to the depositions before me, both illegal and nefarious.

I shall have the honour to forward your favour, now acknowledged, to his Excellency Sir John Bowring; and beg you to inclose copy of the present answer to his Excellency Governor Guimaraes.

Receive, &c.
(Signed) CHARLES A. WINCHESTER.

Inclosure 21 in No. 41.

Deposition.

ELI MOORE BOGGS, native of New York, aged 19, being duly sworn, deposes:

I first went on board the "Inglewood" about a month ago or more. The children came on board after I had joined the ship; they belonged to one Martinez, a Portuguese. The children first came on board at Chin-hae; were afterwards taken on shore, when the ship grounded; and then reshipped after she got off a little below Chin-hae. Martinez told me personally that he had bought the children from their parents, and that the most he had paid for them was seven dollars a-piece. He told me that he was going to send them to the Havana, to a large cigar factory. He spoke English very well, so that there could be no mistake. I believe he told some others they were to go to Manilla, but he distinctly said to me the Havana. He informed me that when he took them to Macao, the Spanish Consul there would take them off his hands, and he would make a profit of 1,600 dollars by them.

Martinez told me that he had as many more children in Ningpo, but that they were sick, and he could not bring them. There were forty-seven children put on board in the first place, but some were taken sick, and put on shore in an island opposite to the mouth of the river.

I considered these children slaves. I saw Martinez whip one of the children; the girl made a reply in Chinese to Martinez, which Martinez interpreted to the captain in my hearing, to the effect that the girl said, "I have come to your hands to be killed, and I would as lief be killed now as by-and-bye."

The children were in a most filthy state, covered with vermin, and horrid diseases of the head and skin. The stench on board in their cabin, which was 9 feet, or thereabouts, long, by 6 feet wide, was dreadful. I have had a severe fever, the result of being near them; and there are five more persons in the hospital in the same state from that cause.

The two Chinese who attended on these children were mere cooks; they had no money, but were to get it from a Chinese to whom there was a letter sent.

I have seen some letters addressed to Martinez as Cora Martinez. Martinez left the "Inglewood" sick in the pilot's boat, before we finally left the island near the mouth of the river.

Martinez has a "lorcha" and five small boats at Ningpo, and has the Portuguese flag on board them.

I have heard Martinez telling Captain Burton, of the "Inglewood," what prices he had paid for the children. I am quite satisfied that the captain knew from Martinez all about their being bought.

I was acting as steward of the vessel, but got no wages.

(Signed) ELI MOORE BOGGS.

Sworn before me, at the British Consulate, Amoy, this 10th day of March, 1855.

(Signed)

CHARLES A. WINCHESTER,
Acting British Vice-Consul, in charge.

Inclosure 22 in No. 41.

Vice-Consul Winchester to Sir John Bowring.

(Extract.)

Amoy, March 3, 1855.

I REGRET that it should be my duty, at so short an interval, again to address your Excellency on the subject of coolie emigration, but the case of the children brought here by the "Inglewood," has so important a relation to those contracts of foreign colonies which stipulate for a certain proportion of women, that I find it necessary once more to request your Excellency's attention to the subject.

I give it as my unhesitating opinion, that in this and no other way can the required females be obtained; that the exportation of women in foreign vessels essentially involves slave-trading, inasmuch as such females must be bought—in violation, too, of the laws of China—to be put on board.

As a conclusion from this undoubted fact, I beg to suggest to your Excellency that prohibitory or warning proclamations against British vessels carrying Chinese female emigrants, unless with a certificate, under the hand and seal of a Consul, declaring their free condition, should be issued by yourself and his Excellency Sir James Stirling, the naval Commander-in-chief.

Yesterday Messrs. Tait and Co. dispatched from Ngo-soo 240 coolies to Swatow. Four hundred coolies are ready for the "Zetland," at Camboy, as soon as she can clear from the port. An American ship of 1,400 tons, chartered by Mr. Tait, has arrived from New York direct, and will, I suppose, proceed to Swatow.

Next week I shall send the constable, who is an intelligent person and passably understands the local dialect, to Ngo-soo and Camboy (if his services can be spared), to observe what is doing there, for my information.

Your Excellency knows how strongly I have expressed my opinion in favour of a well-regulated emigration of men from China, as calculated to benefit alike the districts which they leave, and the colonies to which they proceed. If left to be carried on as it is at present, without control,

I can only see in the future a great Asiatic Slave Trade, to repress which may require, on the part of England, squadrons as expensive as those employed against the African.

So long as the demand for emigrants keeps within the numbers voluntarily disposed to leave, matters are fairly enough conducted by the Chinese crimps; but the moment a number of large vessels, on heavy demurrage, arrive to increase the demand, the prices paid for the collection of men rise; the cupidity of the brokers incites them to iniquities which the merchants do not know, or find it their interest not to inquire into, and cannot control. The rate at which emigration ought to be carried on, cannot be judged of impartially by a merchant greatly interested in the numbers, and can only, if at all, be determined by a responsible Government officer, aided by respectable natives.

It is my opinion, which I state with great submission, but after much reflection, that Her Majesty's Government—allowing ample time for the winding-up all pending transactions, not clearly illegal—should, as a matter both of right and policy, restrain all British ships and British merchants from participating, aiding, or assisting, in any emigration whatsoever from this country, to any other than British colonies. If this is not done, I am satisfied that sooner or later the national character will be stained with disgrace; it is already so to a certain extent in the eyes of respectable Chinese, who never speak of this emigration under any other form of expression than that of buying men. Who, after what occurred at Amoy, in November 1852, will insure us against some general catastrophe, which will affect our legitimate trade and persons wholly unconnected with this system, as the result of what is going on?

The only contract emigration from China, in my humble opinion, which English ships and English merchants should be allowed to engage in, should be that carried on to our own colonies under the control of regularly appointed emigration agents.

No. 42.

Mr. Merivale to Lord Wodehouse.—(Received June 16.)

My Lord,

Downing Street, June 15, 1855.

WITH reference to your Lordship's letter of the 19th ultimo, accompanied by a despatch from Sir John Bowring,* relative to an emigration from Amoy to Martinique and Guadaloupe, which has been set on foot by the French Government, I am directed by Lord John Russell to transmit to you, in order to be laid before the Earl of Clarendon, the inclosed copy of a report from the Emigration Commissioners.

I am, &c.

(Signed) HERMAN MERIVALE.

Inclosure in No. 42.

The Colonial Land and Emigration Commissioners to Mr. Merivale.

Colonial Land and Emigration Office,

Sir,

June 6, 1855.

WE have to acknowledge the receipt of your letter of the 25th ultimo, accompanied by a letter from the Foreign Office, inclosing a despatch from Sir John Bowring, relative to an emigration from Amoy to Martinique and Guadaloupe, which has been set on foot by the French Government.

2. It appears that the French Government have contracted with a

mercantile house at Amoy, for the supply of 900 coolies. The British Consul at Amoy, in reporting the transaction to Sir John Bowring, states that the emigrants will be shipped under the law enacted by the French Government, which enjoins ample space and comfort, &c.

3. We are not aware to what law reference is here made. The only Ordinance of the French Government with which we are acquainted, is one dated 27th March, 1852, which regulates, to a certain extent, the emigration from France and the French colonies to certain specified places, but would not apply to emigration from China. In July 1854, however, a Committee was appointed by the French Government to inquire into the question of emigration from French ports; and by this Commission a report was made, and a Bill (*Projet de Règlement*) prepared, but whether the latter has since become law, we are unable to state. This Bill relates exclusively to emigration from France, though it would no doubt be in the power of the French Government to give it greater extension; and we presume that it is to this that the Consul at Amoy refers.

4. In regard to the remark of Sir John Bowring, that the British ship "Carpentaria" is taking on board emigrants at an unauthorized port, we think it right to state that this vessel has not been chartered by us, nor is in any way under our control, nor have we any information on the subject.

We have, &c.
(Signed) T. W. C. MURDOCH.
C. ALEXANDER WOOD.

No. 43.

The Earl of Clarendon to Sir John Bowring.

(Extract.)

Foreign Office, June 18, 1855.

I HAVE received your despatches of the 5th and 6th of March, and Mr. Woodgate's of the 14th of the same month, relative to the circumstances under which the British vessel "Inglewood," having on board several Chinese female children, who had been kidnapped or purchased at Ningpo, was stopped at Amoy on her way to Macao; and I have to state to you that, having consulted the proper Law Officer of the Crown, Her Majesty's Government are of opinion that the master of the "Inglewood" should be criminally proceeded against, under the 5th Geo. IV, c. 113, s. 10. The forfeiture of the ship should be sued for under sections 4 and 12 of the above-mentioned statute. Such forfeiture would, in the opinion of Her Majesty's Government, be the most effectual means of preventing similar transactions for the future.

No. 44.

*Extract from a Letter from Mr. John Purdon to Captain John Burnett.—
(Communicated by the Board of Trade, July 12, 1855.)*

Chincha Islands, May 5, 1855.

WITH regard to the Chinamen, I am happy to say that there is a great change made to them for the better. I had a long chat the other day with the Governor and other officials of the island, and they tell me that 20 per cent. is taken off their daily labour, and one-third rations more allowed them per day, and new huts are built for them—and comfortable ones they are when compared with the others—and the lash is never used without a fair trial and witnesses on both sides: in fact there is a wonderful change here; there is no suicide committed of any kind, nor the heartrending cry of the suffering Chinaman is never heard, but in its stead you will hear the merry laugh and the native song, accompanied with fireworks and crackers.

I thought it a fine time to introduce my old plan of free labour, while in conversation with the "big bugs;" they listened to me very patiently, giving each other sly looks, but all the answer I received was, "Very good;" but mark my astonishment the next morning at breakfast-time when I received the inclosed, to which I agreed very readily, and almost every captain in the harbour. There are at present a great many men from the ships on the island working, and I think the scheme will work well after a time. We have here a Commodore of the British fleet, and a Committee of twelve, all ship-masters; the Commodore at present is Captain Wilson, of the ship "Lockwoods."

Inclosure in No. 44.

Don Elias to the Captain of the "Virginia."

Dear Sir,

Government of the Chincha Islands, May 5, 1855.

REFERRING you to the clause of your charter-party commencing with "should political or other circumstances," and ending with "they receiving the usual labourer's daily pay while so employed," I have now to request that you will send on shore daily as many of your crew (natives of the country, if possible), as you can conveniently, for the purpose of giving as quick despatch as possible to the vessels now at these islands, the late resolution having left us short-handed.

I am, &c.
(Signed) JESUS ELIAS.

No. 45.

The Earl of Clarendon to Mr. Sullivan.

Sir,

Foreign Office, July 16, 1855.

I HAVE to instruct you to express to the Peruvian Government the satisfaction with which Her Majesty's Government have heard of the improvement in the condition of the Chinese labourers in the Chincha Islands.

I am, &c.
(Signed) CLARENDON.

CHINA.

CORRESPONDENCE upon the subject of Emigration
from China.

*Presented to the House of Lords by Command of
Her Majesty. 1855.*

LONDON:

PRINTED BY HARRISON AND SONS.

AUSTRALIAN COLONIES.

CONVICT DISCIPLINE AND TRANSPORTATION.

FURTHER CORRESPONDENCE

ON THE SUBJECT OF

CONVICT DISCIPLINE

AND

TRANSPORTATION.



(In continuation of Papers presented May 1854.)

Presented to both Houses of Parliament by Command of Her Majesty,
February 1855.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

[1916]

SCHEDULE.

VAN DIEMEN'S LAND.

VAN DIEMEN'S
LAND.

Sir W. Denison.

DESPATCHES FROM LIEUT.-GOVERNOR SIR WILLIAM DENISON.

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ON THE SUBJECT OF

CONVICT DISCIPLINE AND TRANSPORTATION.

VAN DIEMEN'S LAND.

Despatches from Lieut.-Governor Sir W. Denison.

VAN DIEMEN'S
LAND.
No. 1.

No. 1.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to the Duke of NEWCASTLE.

(No. 188.)

Van Diemen's Land, Government House,
September 10, 1853.
(Received December 13, 1853.)

MY LORD DUKE,

(Answered No. 19, July 21, 1854, Page 82.)

I HAVE the honour to acknowledge the receipt of a Despatch No. 43,* dated 13th March 1853, in which I am directed by your Grace to state whether the monies remitted through the Commissioners for Prisons in each convict ship have been accounted for by the Comptroller General, and to describe for the information of the Commissioners of Audit the manner in which that has been done.

The enclosed memorandum from the Registrar of the Convict Department will explain the mode in which the money is accounted for, and the returns which accompany the memorandum will show the amount received, the amount paid to the convicts, and the balance still remaining for distribution.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) W. DENISON.

Enclosure 1 in No. 1.

Encl. 1 in No. 1.

MEMORANDUM.

With reference to the information that has been called for by the Right Honourable the Secretary of State, as to the disposal of the monies that have been received by the Convict Department in this colony, through the Commissariat on account of the reserved earnings of prisoners transported from England, I have the honour to state that these monies were, up to the 21st of September 1852, paid by the superintendent of the prisoner's barracks direct to the convicts, any unpaid balance being handed over to me; from that date, however, the duty of issuing all the monies was transferred to me as registrar.

2. I enclose a return showing the balances handed over to me by the superintendent of the prisoners' barracks, the amount which I have paid up to this date, and the balance still on hand on account of each ship; also showing the sums which have been paid over to me direct by the commissariat up to this date, the sums which I have issued, and the balance remaining on hand.

3. I have to state that the monies were all paid by me, at the time of their receipt, into the public account which I keep as Registrar of the Convict Department with the Union

* Page 114 of Papers relative to Convict Discipline, presented to Parliament by Her Majesty's command, 18th July 1853.

2 FURTHER CORRESPONDENCE ON THE SUBJECT

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Bank of Australia, and that receipts are taken from each convict when the money standing to his credit is paid to him, and duly registered in this office, so that any form of account which the Commissioners of Audit may deem necessary can be furnished.

I have, &c.

Comptroller General's Office,
9th September 1853.

(Signed) W. NAIRN.

CONVICT DEPARTMENT.

RETURN of Amounts paid over by the Superintendent of the Prisoners' Barracks, Hobart Town, to the Registrar of the Convict Department, being the unpaid balances of the reserved Earnings of Convicts transported from England, together with the Amount paid out of such balances up to this date by the Registrar.

When Received.	Name of Ship.	Amount.	Amount paid to Convicts.	Balance remaining.
		£ s. d.	£ s. d.	£ s. d.
10th May 1851	Maria Somes (2.) - -	19 16 2	7 5 0	12 11 2
" "	Nile - - -	44 19 8	30 1 0 $\frac{1}{2}$	14 18 7 $\frac{1}{2}$
7th August "	William Jardine (2.) -	23 19 7	9 3 8	14 15 11
" "	Rodney (1.) - - -	16 16 2 $\frac{1}{2}$	4 17 5 $\frac{1}{2}$	11 18 9
31st October "	Blenheim (4.) - - -	12 19 0	2 1 2 $\frac{1}{2}$	10 17 8 $\frac{1}{2}$
2nd March 1852	Blenheim (3.) - - -	28 13 9	0 11 10	28 1 11
9th June "	Lady Kennaway (2.) -	5 8 7 $\frac{1}{2}$	1 3 6	4 5 1 $\frac{1}{2}$
28th "	Cornwall - - -	34 19 6	19 8 1	15 11 5
6th Sept. "	Rodney (2.) - - -	261 6 11 $\frac{1}{2}$	230 1 3 $\frac{1}{2}$	31 5 8
" "	Aboukir - - -	75 5 7 $\frac{1}{2}$	46 13 5	28 12 2 $\frac{1}{2}$
" "	Fairlie - - -	132 7 9	117 10 8	14 17 11
15th Oct. "	Pest. Bomonjee (4.) -	208 14 0 $\frac{1}{2}$	166 8 5 $\frac{1}{2}$	42 5 7
		£ 865 6 10 $\frac{1}{2}$	635 5 8 $\frac{1}{2}$	230 1 2

Comptroller General's Office,
1st September 1853.

W. NAIRN.

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

CONVICT DEPARTMENT.

RETURN of the Amounts received by the Registrar of the Convict Department, on account of the reserved Earnings of Convicts from England, from the 1st December 1852 to 31st August 1853, showing the Amount paid and on hand up to the present date.

When Received.	Name of Ship.	Amount.	Amount paid to Convicts.	Balance remaining.
		£ s. d.	£ s. d.	£ s. d.
16th Dec. 1852	Lady Montague - - -	909 2 4	849 2 7	59 19 9
24th " "	Equestrian (3.) - - -	1,057 9 7	1,011 11 6	45 18 1
9th March 1853	Oriental Queen - - -	1,241 1 3	1,158 15 11	82 5 4
20th June 1853	St. Vincent - - -	865 8 11	700 16 10	164 12 1
		£ 4,073 2 1	3,720 6 10	352 15 3

Comptroller General's Office,
1st September 1853.

W. NAIRN.

No. 2.

No. 2.

COPY of a DESPATCH from Lieut-Governor Sir W. DENISON to
the Duke of NEWCASTLE.
(No. 257.)

Van Diemen's Land, Government House,
November 25, 1853.

MY LORD DUKE,

(Received, February 16, 1854.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch of the 14th May last, No. 70., forwarding copy of an address from the House

of Commons, calling for certain information respecting the clergymen or religious instructors paid out of convict funds; and in compliance with your Grace's direction I have now the honour to transmit a return of the clergymen and religious instructors at present paid from convict funds.

VAN DIEMEN'S
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I have, &c.
The Duke of Newcastle, (Signed) W. DENISON.
&c. &c. &c.

Enclosure in No. 2.

Van Diemen's Land.

RETURN of Clergymen or other Religious Instructors paid out of Convict Funds in this Colony as called for by Resolution by the House of Commons on the 9th May 1853.

NAMES.	Salary.	House Allowance.	Forage Allowance.	Denomination.	Office.	REMARKS.
Cox, Rev. F. H.	£ 250	£ 50	£ s. d.		Chaplain, St. John the Baptist, Hobart Town.	Protestant missionary chaplains for whose maintenance the sum of £ 1,800 is granted annually by Her Majesty's Government.
Hesketh, Rev. W. M.	200	50	50 0 0		Macquarie Plains District	
Crooke, Rev. R.	150	50	50 0 0		Of the Huon	
Williams, Rev. M.	200	50	50 0 0		At Deloraine	
Bennett, Rev. W. R.	150	50	50 0 0		At O'Brien's Bridge and Altamont.	
Smith, Rev. G. B.	50	-	-		At Allanvale	Clergymen who receive aid at the discretion of the bishop from the above grant for the support of missionary chaplains.
Boyd, Rev. W.	50	-	-		At Longford	
Pocock, Rev. Z. P.	50	-	-		At Emu Bay	
Garlick, Rev. J. B.	125	-	-	Church of England.	At Macquarie River	
Parsons, Rev. S.	100	-	-		At Fingal	
Medland, Rev. J. G.	250	50	-		Chaplain, Prisoners' Barracks, Hobart Town.	*This allowance is not a fixed contingency, but is regulated by a board of officers every month. The amount £82 12s. 6d. is that shown for forage in the estimate for 1854-5.
Durham, Rev. E. P.	200	50	-		At Brickfields and General Hospital, Hobart Town.	
Galer, Rev. D.	200	50	*82 2 6		At Cascade Factory	
Ewing, Rev. T. J.	£ 100	£ -	£ s. d.		At Queen's Orphan Schools.	
Gurney, Rev. J. R.	200	-	-		At Port Arthur.	
Fookes, Rev. S. B.	200	-	-		At Impression Bay.	Missionary chaplain.
Burbridge, Rev. J.	200	-	-	Church of England.	At Cascades.	
Eastman, Rev. G.	200	50	82 2 6		At Ross Factory.	
Giles, Rev. G.	250	50	-		At Launceston.	
Smalles, Mr. J. H.	150	-	-		Catechist, Prisoners' Barracks, Hobart Town.	
Davenport, Rev. A.	250	-	-		At Norfolk Island.	
Bond, Rev. W. P.	200	30	82 2 6		New Norfolk	
Maguire, Rev. A.	200	30	82 2 6		At Hobart Town.	
Hunter, Rev. G.	200	30	82 2 6			
Burke, Rev. M.	200	30	82 2 6			
Caldwell, Rev. T. G.	200	30	82 2 6	Roman Catholic.	At Ross.	
Lucas, Rev. T. G.	200	30	82 2 6		At Launceston.	
Ryan, Rev. M.	200	-	82 2 6		At Impression Bay.	
Magorian, Rev. H.	200	-	-		At Port Arthur.	
Murphy, Rev. J.	125	-	-		Norfolk Island.	
Marum, Rev. E.	125	-	-			

Note.—Total number of convicts, 13,000 males and 4,000 females; of whom one-third are Roman Catholics, and the remaining two thirds Protestants.

(Signed) J. S. HAMPTON,
Comptroller General's Office, 26th November 1853. Comptroller General.

No. 3.

No. 3.

COPY of a DESPATCH from Lieut-Governor Sir. W. DENISON to the Duke of NEWCASTLE.

(No. 264.)

Van Diemen's Land, Government House,

December 1, 1853.

(Received, April 19, 1854.)

MY LORD DUKE,

(Answered No. 72, May 8, 1854, Page 81.)

I HAVE the honour to forward herewith two letters addressed to your Grace by the Honourable the Speaker of the Legislative Council, one of which is dated the 25th October and the other the 12th August. The latter is a du-

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plicate of a letter sent to your Grace at the date specified, and contains the address to Her Majesty alluded to in the former letter, and a copy of a newspaper giving an account of the proceedings of the public meeting at which the address now enclosed was adopted.

Mr. Dry thought fit to allude to my refusal to make the day a public holiday. Your Grace will see by the enclosed correspondence on the subject that in so doing I acted in accordance with the views of the municipal body of the city of Hobart Town, whose opinion, in which I fully concurred, was, that rejoicings of the character of those proposed were calculated to perpetuate feelings of hostility between the different classes of the population. I therefore refused to identify the Government in any way with them.

His Grace the Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) W. DENISON.

Encl. 1 in No. 3.

Enclosure 1 in No. 3.

MY LORD DUKE,

Hobart Town, October 25, 1853.

ON the 12th August I had the honour to forward to your Grace a report of public proceedings in Launceston, in commemoration of the cessation of transportation. On that occasion I explained to your Grace my reason for departing from the usual course in addressing you otherwise than through the Lieutenant-Governor.

I now have the honour to transmit a duplicate of my former letter, with its enclosure, together with the address to Her Majesty, therein referred to.

His Grace the Duke of Newcastle,
Her Majesty's Principal Secretary of State for the Colonies.

I have, &c.
(Signed) RICHARD DRY.

August 12, 1853
2

Encl. 2. in No. 3.

Enclosure 2 in No. 3.

"Launceston Examiner."
August 13 1853.

MY LORD DUKE,

Launceston, Van Diemen's Land,
August 12, 1853.

I HAVE the honour herewith to forward a newspaper containing report of public proceedings in this town on the 10th August instant, that your Grace may be informed by the very earliest opportunity of the enthusiasm with which your Grace's welcome announcement that transportation had ceased to this colony has been received by the people.

The copy of the address to Her most Gracious Majesty, referred to in this Report, is now being engrossed, and will of course be transmitted through the usual official channels.

The Lieutenant-Governor refused to make the day a public holiday, by giving the officers of the public departments leave of absence for the day, although his Excellency had been requested so to do by the resolution of a large public meeting of the inhabitants, and in consequence the officers of the various services were prevented uniting in the joyous festivities of the day; yet so general was the feeling of gratitude to Her most Gracious Majesty that all the banks in this town were closed, and all trade and commerce suspended. I am credibly informed that not one shilling was taken at Her Majesty's Customs during the day.

I have the honour to refer your Grace to the newspaper report, herewith forwarded, and which your Grace will, I hope, receive in a few weeks by the "Argo", viâ Melbourne. If it were not that I feel it to be important not to lose so desirable an opportunity as this vessel presents, I should not depart from the usual course in sending such a communication otherwise than through the Lieutenant-Governor's hands. If, however, I were to send it through that channel, this opportunity would be lost, and consequently a considerable time might elapse before your Grace received the information I have the honour to convey.

I have, &c.
(Signed) RICHARD DRY.

Chairman of public meeting held at Launceston, August 10, 1853.

P.S.—The newspaper referred to will not be published in time for the departure of the Mail. His Grace the Duke of Newcastle will therefore be pleased to accept "slips" received from the printer for the purpose.

His Grace the Duke of Newcastle,
&c. &c. &c.

Enclosure 3 in No. 3.

To the Queen's most Excellent Majesty.

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Encl. 3 in No. 3.

May it please Your Majesty,

WE, Your Majesty's faithful subjects, inhabitants of the northern division of Van Diemen's Land, in public meeting assembled, beg to approach Your Majesty with renewed expressions of loyalty and attachment to Your Majesty's Crown and person.

We have on former occasions addressed Your Majesty in the language of complaint and entreaty. We have represented to Your Majesty the aggravated evils of a moral, political, and social nature entailed upon this community by the continuance of transportation. We have, as in duty bound, expressed to Your Majesty the anxiety and alarm which, as Your Majesty's faithful and loyal subjects, we felt at the serious effects such continuance, notwithstanding their petitions and remonstrances, was producing on the neighbouring Australian colonies, effects which we had too much reason to apprehend were rapidly tending to alienate their attachment from the British Government, and eventually to endanger its supremacy in these realms. We have also earnestly prayed Your Majesty to relieve us, and to avert such evils, by graciously directing that transportation to this island should at once and altogether cease.

On the day which has been chosen and set apart by this community to celebrate the joyful event, it becomes our pleasing duty to approach Your Majesty with the expression of our heartfelt thanks and grateful acknowledgments for Your Majesty's late gracious attention to our petitions, and that Your Majesty has been pleased to direct that no more convicts shall be sent to these shores.

We would humbly venture to congratulate Your Majesty on having around Your Majesty's throne those wise and faithful counsellors who were Your Majesty's advisers on this important question, on the issue of which the well-being and tranquillity of this and the neighbouring Australian colonies altogether depended; and we would humbly assure Your Majesty that Your Majesty's gracious interference in our behalf has done much to strengthen those feelings of attachment to the British Government which it is the sincere desire of this community to maintain and cherish in all their integrity.

We would again most humbly and heartily thank Your Majesty. We pray that Your Majesty may long be continued "in health and wealth" to reign over those extensive dominions of which it is our boast and happiness to form a part, and, again expressing our feelings of warm attachment and loyalty to Your Majesty's Crown and person,

We remain, &c.

Signed on behalf of the Meeting,

RICHARD DRY,
Chairman.Launceston, Van Diemen's Land,
August 10, 1853.

Enclosure 4 in No. 3.

Encl. 4. in No. 3.

Copy of a Letter from the Town Clerk, in reply to the Application of the Secretary to the Demonstration Committee.

SIR,

June 15, 1853.

I AM instructed by the mayor and aldermen of the city of Hobart Town to acquaint you, that the communication they had the honour to receive from you on Friday last (as a deputation from certain gentlemen who had previously held a meeting at Mr. Chapman's counting-house), to ascertain if the mayor and aldermen would join them in a demonstration intended to be made in consequence of the recent announcement that transportation to this colony is to be discontinued, has received their full consideration.

That the mayor and aldermen have entertained that communication in the spirit in which it was proposed, namely, a desire that all classes might be brought together in harmony and good fellowship, and that the angry feelings of past times might be mutually forgiven and forgotten.

That, upon calm reflection, the mayor and aldermen have arrived at the opinion that the proposed demonstration would have no such effect, but, they fear, would be looked upon by many as an expression of triumph, and not of conciliation, and thereby add to rather than diminish the differences which have so long unhappily existed amongst us.

The mayor and aldermen believe that such a demonstration would have the appearance of a political and party character, from which no good *could* but much evil *might* result.

Upon these considerations the mayor and aldermen have felt it their duty, with much regret, to decline taking a part in the proposed demonstration.

I have, &c,
(Signed) H. CROMBIE,
Town Clerk.

Mr. C. Toby,
Secretary to the Demonstration Committee.

Enclosure 5 in No. 3.

Encl. 5 in No. 3.

Reply of the Lieutenant-Governor to the Deputation from the Meeting to request that a public Holiday might be given on 10th August 1853.

GENTLEMEN,

As the only result of the course which you propose to adopt will be to continue and even enhance those feelings of antagonism of class against class which at present

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operate so prejudicially to the comfort and happiness of the community, I must decline to identify the Government with it in any way, and I cannot therefore accede to your request that I would allow the 10th of August to be a public holiday.

Government House, Hobart Town,
2d August 1853.

No. 4.

No. 4.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to the
Duke of NEWCASTLE.

(No. 274.)

Van Diemen's Land, Government House,
December 12, 1853.

(Received April 19, 1854.)

MY LORD DUKE, (Answered, May 10, 1854, No. 74, page 81.)

I HAVE the honour to forward herewith applications in the usual form from two convicts that their families should be forwarded at the public expense to Van Diemen's Land.

By your Grace's Despatch, No. 98,* dated 2d July, I am directed to discontinue at once all further recommendations of convicts for the indulgence of having their wives and families forwarded to Van Diemen's Land at the cost of the British Treasury. I do not, therefore, suggest that the expense of forwarding the families of William Donoline, and Alexander Mackenzie should be defrayed from this source, but from the funds belonging to the colony, now in the hands of the Land and Emigration Commissioners.

The men have borne good characters, and their children will prove in all probability as useful emigrants as can be obtained, and they will be more likely to remain in the colony than those who have nothing to bind them to Van Diemen's Land in preference to any of the other Australian Colonies. I trust, therefore, that your Grace will direct the Land and Emigration Commissioners to forward these families with as little delay as possible.

The Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) W. DENISON.

No. 5.

No. 5.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to
the Duke of NEWCASTLE.

(No. 19.)

Van Diemen's Land Government House,
February 13, 1854.

(Received 28th June 1854.)

MY LORD DUKE, (Answered No. 44, 4th Sept. 1854, Page 83.)

I HAVE the honour to forward herewith the annual report of the Comptroller General on the state of the convict department.

2. The tables contained in the appendix to this report will afford data upon which to form an opinion as to the rate at which the number of the convicts now in Van Diemen's Land will diminish, and will, I think, bear out fully the statements contained in my Despatch No. 154,† dated 2d July 1853, as to the number which will probably remain in the hands of the Government at the expiration of about two years and a half from the present date.

3. I can bear most satisfactory testimony to the state of discipline of the various establishments, and generally as to the behaviour of the convicts, for notwithstanding the great temptations originating in the excited state of the community generally, and the carelessness generated by prosperity, I do not believe that among the convicts maintaining themselves by their own labour there has been any tendency to an increase of crime, with the exception, of course, of that which has its origin in drunkenness.

4. The experiment which has been made at Port Arthur, for the purpose of ascertaining the possibility of converting it into a place of punishment for the men who would otherwise have been sent to Norfolk Island, has succeeded beyond my expectation. The system which is enforced there is strict enough

* Page 123 of Papers on Convict Discipline, presented by Her Majesty's Government 18th July 1853.

† Page 52 of Papers on Convict Discipline, presented by Her Majesty's Command, May 1854.

See Schedule of
Tables at Page 11.

to keep even the most incorrigible in awe; while the constant supervision of the Comptroller General, and the knowledge that at any instant any undue exercise of power may be reported and inquired into, is sufficient to prevent any abuse of the power necessarily vested in the superintendent of such a station.

5. I regret that, notwithstanding the rapid decrease in the number of convicts in the colony, I cannot hold out any prospect of a decreased expenditure. Your Grace will have seen, in the estimates for 1854 and 1855, the serious additions which have necessarily been made to the salaries of all the officers of the department, and to the cost of the provisions and stores consumed by the convicts; and it is my duty to point out to your Grace that there is every reason to believe that a further increase will have to be made to the salaries of the officers, and that a rise will take place in the price of provisions.

6. In my Despatch No. 209,* dated 1st October 1853, explaining to your Grace the circumstances under which I had been compelled to grant an augmentation to the salaries of all the officers employed in the convict department, I stated that this addition was by no means sufficient to cover the increased cost of the means of subsistence. In fact all the officers, with the exception perhaps of those in the lowest grades, were, after the receipt of this addition, worse off in every respect than they were three years previous, when prices were in their ordinary state. A steady rise has taken place in the price of labour since the date of my Despatch, and the necessaries of life have risen in value, in consequence of a bad season and the deficiency of labour, to an extent which it was impossible to anticipate.

7. Under these circumstances, I feel certain that I shall be compelled to bring under the notice of the Legislative Council the inadequacy of the salaries of the officers of the Colonial Government, and, should any addition be made to these, a similar increase must necessarily be made in the pay of the officers of the convict department.

8. In my Despatch No. 154†, dated 2d July 1853, enclosing a report from the Comptroller General as to the best course to be taken in carrying out progressive reductions of the convict department, I brought under your Grace's notice several instances in which the arrangements of the local Government were more or less dependent upon the state of things originating in the penal condition of this colony.

9. While transportation was continued, it was of course necessary that this subordination should be maintained; but now that it has ceased, and that it has become a mere question of time as to when the anomalous state of things consequent upon a sort of double penal system shall terminate, it is worthy of serious consideration whether it would not be better both for the colony and the mother country that an end should be put as speedily as possible to this.

10. In my Despatch No. 154. above quoted, I stated that I fully concurred with the Comptroller General in recommending the continuance, for some years at all events, of the existing arrangements and, so far as regards the operation of these upon the convicts themselves, I should regret to see any alteration in the system; but the existence in the colony of a department which, although independent of the local Legislature, must perpetually come in contact, not only with the different classes of settlers, but also with the Legislature itself, upon financial questions, will but serve to maintain irritation, and to cause perpetual discussions as to the relative liabilities of the mother country and the colony.

11. The cost, too, of maintaining a distinct department for the coercion of English convicts, with all the apparatus for religious instruction, medical attendance, a distinct commissariat department, and a large military establishment, must necessarily exceed that which would be required were the whole of the penal establishment in the colony combined under one system in the hands of the local authorities.

12. It is probable that the internal arrangements of the different establishments will not be so complete nor the discipline so effective, under the scheme above suggested, as is now the case, under the superintendence of a single responsible officer; but as the interest now of the mother country in the management and discipline of the convicts bears no proportion to that which it did when transportation formed part of its penal system, or to that which the inha-

* Page 73 of Papers on Convict Discipline, presented by Her Majesty's Command, May 1854.

† Page 52 of same Paper.

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bitants of the colony must experience, an opening will always be found for questioning the motives of the arrangements proposed, and it would probably be preferable to take the chances of the relaxation of discipline which might result from the change proposed than to run the risk of constant angry discussions between the Legislature of the colony and the Home Government.

13. For these reasons I am disposed to recommend that arrangements should be made, with as little delay as possible, for the transference to the Colonial Government of the various establishments connected with the convict department throughout the colony.

14. I am not, of course, in a position to give anything like an accurate estimate of the direct saving to the British Treasury which would result from the course proposed; but it is obvious that a reduction would be made to some extent in the staff which it is necessary to maintain to work a separate department; that the cost of keeping in repair the various buildings would no longer be incurred; that the commissariat, military, and engineer departments would be much reduced, though, as regards the military, the colony would of course have a claim for some time to come to the services of a military force of some strength, as a guarantee against any outbreak on the part of the convict population; the expense too of the medical department would be reduced by the amalgamation.

15. The principle upon which the transfer of the charge of the department to the Colonial Government might justly be made would be the payment by the British Government of a certain sum annually for each convict maintained at any station or hospital or asylum, in respect of the charges for food, clothing, discipline, &c. &c. This charge would of course admit of revision periodically, in order to meet the changes which would take place in the cost of provisions &c., as well as in the charges for superintendence consequent upon variations in the price of labour, or in the reduction of the establishment.

16. A certain fixed sum might be charged in respect of each of the convicts earning their own livelihood as passholders or ticket-of-leave holders, in order to cover the cost of the establishments required to keep the registers of their conduct, to issue the usual indulgences, and generally in order to carry out the system now or hereafter to be acted on with respect to these men.

17. A further allowance would have to be made, as at present, for the additional police which the presence of the convicts in the colony might render necessary; but it is unnecessary for me to enter further into these details, which, as being dependent upon a state of things varying, so to speak, from day to day, cannot be supposed to give an idea of the absolute amount of charge to be thrown upon the British Treasury, though they may afford data upon which to ground an approximate estimate of the cost under the arrangement now proposed.

18. There is one subject, however, to which it is desirable I should draw your Grace's attention; namely, the claims of the officers of the convict department as regards their past services. It will be very desirable that some fixed rule should be laid down by which no opening will be left for future discussion as to the relative proportions in which the Home Government and the colony should contribute towards the pension or gratuity to which such officers may hereafter be entitled.

19. Should your Grace be disposed to entertain the suggestions I have herein submitted, it would then be my duty, in concert with the Comptroller General and the Colonial Secretary, to go fully into the subject, for the purpose of arranging the details of a scheme (upon principles approved of by your Grace) which might be at once submitted to the Legislative Council, and, if sanctioned by them, at once carried into effect.

20. The change proposed would of course involve the reduction of the office of Comptroller General, and the retirement of Mr. Hampton from a post the duties of which he has discharged most ably and conscientiously for upwards of seven years.

21. I should not, however, be doing justice to Mr. Hampton were I to limit myself to such an acknowledgment of the value of his services as I have given above. I can state with truth that the present admirable state of the department (so different from what it was when he was first placed over it) is due almost entirely to the energy with which he has grappled with all the difficulties of his position, and the untiring zeal which has caused him to devote himself altogether to the perfectionment of all the details of a system which, looking primarily to the punishment of the offender, and to the deterring effects

thus produced upon others, pays also special attention to the reformation of his habits, through the operation of rewards judiciously administered.

22. This zeal and energy, when coupled with the experience acquired during his administration of the convict department in this colony, would render Mr. Hampton a most useful assistant in the development of the different branches of the new penal system now in course of introduction in England; and I feel that I am but doing my duty in bringing his peculiar qualifications thus under the notice of your Grace.

I have, &c.
(Signed) W. DENISON.

His Grace the Duke of Newcastle,
&c. &c. &c.

VAN DIEMEN'S
LAND.

Enclosure in No. 5.

Encl. in No. 5.

SIR,

Comptroller General's Office, January 20, 1854.

I HAVE the honour to forward to your Excellency the following report on the state of the convict department under my control for the year ending the 31st of December 1853.

2. The official announcement of the cessation of transportation to Van Diemen's Land, received here in June, has not rendered it necessary to make any change in the treatment of the convicts remaining in the colony, who continue to be subjected to the general system of discipline described in my former periodical reports; a system which is now so well understood by all parties concerned that comparatively little difficulty arises, either as regards the management of the convicts maintained by the Government or of those earning their own livelihood, the regulations for the guidance of both classes being the result of practical experience suitable for the purpose for which they were established, and working in a very satisfactory manner. Indeed, looking at the present state of the department, I think there is good reason to believe that the convicts in general will not in future cause much trouble to the Government, with the exception of the most refractory of the reconvicted incorrigibles, the majority of whom are still detained at Norfolk Island, and will require to be treated with the greatest caution; but it is so far encouraging that even the very worst of these have recently behaved better than could have been expected.

3. The startling and formidable embarrassments connected with the supervision of the convicts at Norfolk Island, brought prominently under notice during my last visit to that settlement, and explained in my letter to your Excellency dated the 25th of March 1852, compelled me then to advise that arrangements should be forthwith made to remove from the island all the convicts who could safely be transferred to Van Diemen's Land, and to make preparations to receive on Tasman's Peninsula the whole convict population of the island, with the view, if practicable, of ultimately abandoning entirely such a remote establishment. My letter of the 12th of May 1852 reported in detail what arrangements would be required for that purpose, which, with your Excellency's sanction, were at once commenced; and although the transfer of the convicts has recently been suspended by your Excellency, the preparations for their reception on Tasman's Peninsula are steadily going on, both as regards the supervision and the buildings.

4. 945 convicts were on Norfolk Island when I visited it in March 1852, of whom 650 have been transferred to Van Diemen's Land, where, with very few exceptions, their conduct has been good.

5. Recently 29 convicts of good character have been sent to the island, to be employed as servants, watchmen, and on other duties for which the reconvicted men are not eligible; and, pending the decision as to the final breaking up of the establishment, 22 of a very bad class were also forwarded last month, making 284, the total number of convicts now under coercion on the island.

6. I have nothing to add to what I have already reported respecting the proposed abandonment of Norfolk Island, except to state, that as the principal reason for recommending the transfer was the insuperable difficulty of finding proper supervision for the convicts, that that difficulty is, if possible, greater at present than in the beginning of the year 1852.

7. The discovery of gold in the Australian colonies has, as stated in my former periodical reports, rendered it extremely difficult to retain efficient officers in the convict department, and has also greatly increased the expense of that department; for, although, in consequence of the cessation of transportation, a reduction has been made in the number of both officers and convicts, the estimate for 1854-5 is greater than that for 1853-4 by 62,935*l.* 5*s.*, nearly half of that amount, or 30,216*l.* 13*s.* 7*d.*, being appropriated for an increase in the cost of provisions alone, notwithstanding a diminution of 700 in the number of the convicts for whom it is supposed that the Government will require to furnish rations. £20,532 5*s.* 6*d.* of the above-mentioned excess have been provided for temporary increase of salaries throughout the department; a sum which, I regret again to have to report, is not sufficient to meet the claims of officers of the higher grades, the amount of the temporary increase not being enough to cover the additional expenditure which they are compelled to incur in consequence of the increased price of all the necessaries of life, and of the great

VAN DIEMEN'S
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rise in the wages of domestic servants, and in the cost of every other description of labour. It has therefore happened that the appointments held by many of these officers are not of their original value: notwithstanding the temporary increase of salary that has been granted, nor equivalent in remuneration to the various employments which can now be obtained in private life, or in the public service in the adjacent colonies. It must, under such circumstances, be obvious that great and increasing difficulty will be experienced in regard to retaining fit persons for stipendiaries in the department, especially as the discontinuance of transportation renders future employment in it so precarious that even the most zealous cannot with any degree of certainty be expected to remain in their present situations.

8. The buildings at the different stations and establishments are generally in good order, moderately well suited for the purposes for which they are used, and will not require any additions or alterations, with the exception of those at Port Arthur, already referred to, and fully described in my former reports.

9. The recent removal of Mr. Boyd from the Prisoners' Barracks, Hobart, to the now very important station at Port Arthur, and placing the whole of the convict establishments in this town under the charge of Mr. May, the Superintendent of the Cascade Factory, have hitherto worked very beneficially for the interests of the public service, and, from the known zeal and ability of both these officers, will, I have no doubt, continue to do so.

Nos. 1, 2, & 3.

The accompanying reports contain interesting information respecting the establishment intrusted to their management.

10. The following abstract shows the number and description of each class of convicts and the total number of all classes in Van Diemen's Land on the 31st of December 1853.

Males.

5,129	Ticket-of-leave holders :—								
	Earning their own livelihood	-	-	-	-	-	-	-	4,794
	Maintained by Government :	At depôt, awaiting hire	-	-	-	-	-	-	0
		Under magisterial sentence	-	-	-	-	-	-	285
		In hospitals	-	-	-	-	-	-	50
6,407	Passholders :—								
	In private service	-	-	-	-	-	-	-	4,744
	Maintained by Government :	At depôt awaiting hire	-	-	-	-	-	-	0
		Under magisterial sentence	-	-	-	-	-	-	1,329
		In hospitals	-	-	-	-	-	-	334
177	Probationary ticket-of-leave holders :—								
	In private service	-	-	-	-	-	-	-	115
	Maintained by Government :	At depôt awaiting hire	-	-	-	-	-	-	0
		Under magisterial sentence	-	-	-	-	-	-	62
		In hospitals	-	-	-	-	-	-	0
862	Under probation :—								
	Maintained by Government :	Under primary probation	-	-	-	-	-	-	357
		Re-convicted men under order of probation at Port Arthur	-	-	-	-	-	-	230
		Re-convicted men under order of detention at Norfolk Island	-	-	-	-	-	-	246
		In hospitals	-	-	-	-	-	-	29
12,575	-	-	-	-	-	Total	-	-	12,575

Females.

	<i>Females.</i>	
1,708	Ticket-of-leave holders :— Earning their own livelihood - - - - -	1,638
	Maintained by Government : At dépôt awaiting hire - - - - -	0
	Under magisterial sentence - - - - -	65
	In hospitals - - - - -	5
2,339	Passholders :— Earning their own livelihood - - - - -	1,494
	Maintained by Government : At dépôt awaiting hire - - - - -	11
	Under magisterial sentence - - - - -	736
	In hospitals - - - - -	98
123	Hold no indulgence : Maintained by Government : Under probation - - - - -	123
	In hospitals - - - - -	0
4,170	- - - - - Total -	4,170

General Summary.

Maintained by Government, males	-	-	-	-	2,910
" females	-	-	-	-	1,038
Not maintained by Government, males	-	-	-	-	9,665
" females	-	-	-	-	3,132
				Grand total	16,745

11. The enclosures forwarded herewith, and described in the annexed schedule, furnish a continuation of the statistical information transmitted with my former periodical reports.

12. Return No. 4. shows how all the officers of the department and the convicts maintained by Government were distributed on the 31st of December 1853.

13. Return No. 5. shows that during the year 1853 the total number of male and female convicts in Van Diemen's Land has been reduced from 19,105 to 16,745; and as it appears from Returns Nos. 6, 7, and 8 that in the early part of the year 1,480 arrived in the colony, it follows that 3,840 males and females have been released from their convict condition between the 31st of December 1852 and the 31st of December 1853.

The diminution in the number of ticket-of-leave and probationary ticket-of-leave holders shown in the above-mentioned return arises chiefly from convicts obtaining conditional pardons, or becoming free by lapse of time.

14. Return No. 9. shows that 1,003 convicts have in the year 1853 obtained permission to marry, and been thereby placed in circumstances which have almost invariably hitherto proved highly conducive to the well-doing of such persons.

15. The offences committed by convicts at Government stations and establishments during the year 1853 have been, as shown by Return No. 10., chiefly breaches of discipline, requiring only minor degrees of punishment.

16. In the present state of the colony, convicts earning their own livelihood, and especially women, are exposed to great temptation, from the high rate of wages, general profusion of money in circulation, and consequent large amount of drunkenness; but the prevailing offences amongst them in the past year have not been of a serious character, being principally absconding, absence without leave, disobedience of orders, and drunkenness.

17. The punishments inflicted have been generally hard labour, solitary and separate confinement for longer or shorter periods, according to the nature and degree of the offences in each instance, as well as the previous character of the offenders; but in no case has the lash been used, not a single convict having been flogged in Van Diemen's Land since April 1851; a change in the nature of the secondary punishments used in this colony the extent of which may be gathered from the fact that in the year 1838 58,204 lashes were inflicted on 1,984 men, and that in 1846 481 convicts received 17,406 lashes.

18. This report shows that the principal, and I may now add, almost the only remaining difficulties connected with the administration of convict affairs in Van Diemen's Land, are the management of the worst class of re-convicted men, and the great scarcity of fit persons for officers, the high rate of remuneration readily obtained in other employments rendering many of the most efficient dissatisfied while they remain in the department, and holding out irresistible temptations for them to relinquish situations the duties of which, even under the most favourable circumstances, are either unpleasant or cannot be performed without much anxiety.

I have, &c.
(Signed) J. S. HAMPTON,
Comptroller-General.

His Excellency the Lieutenant-Governor,
&c. &c. &c.

SCHEDULE of RETURNS and other Documents referred to in the COMPTROLLER GENERAL'S ANNUAL REPORT, dated 20th of January 1854.

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Comptroller General's Office,
20th January 1854.

J. S. HAMPTON,
Comptroller General.

REPORTS of the SUPERINTENDENT of the CONVICT ESTABLISHMENT, HOBART TOWN.

Prisoners' Barracks and Male House of Correction, Hobart Town,
Van Diemen's Land, January 19, 1854.

SIR,

As Superintendent of the Convict Establishments in Hobart Town, I have the honour, in accordance with the instructions contained in your letter of the 8th ultimo, to lay before you the following report on the state and condition of this establishment, placed under my charge on the 1st of November last, in succession to James Boyd, Esquire, appointed Civil Commandant at Tasman's Peninsula, accompanied with a report from the schoolmaster relative to the educational attainments of the convicts, also a summary of their improvement, and present state of the schools.

Buildings.

1. The extensive buildings comprising the establishment are in good repair; many alterations have been effected, and others already authorized are in active progress. Amongst the improvements effected, I may notice the treadwheel room. This division consisted formerly of two large rooms appointed to the civil prisoners and convicts under punishment, but, under authority, the separation wall has been removed, and an open and spacious apartment formed, whereby the whole of the prisoners working the wheel present one row of men, requiring the supervision of one officer only.

2. The wheel has been portioned off into thirty compartments, by the erection of wood partitions sufficiently wide to admit of one prisoner when at labour, each partition numbered; thus precluding all possibility of seeing or communicating with each other, either by words or signs.

3. Ranged along the wall side of this apartment, and immediately opposite the wheel, are 26 separate resting stalls (also numbered to correspond with the compartments of the wheel,) containing a seat, a hook for the cap, and a moral or religious book. To these the men enter as they respectively descend from labour, and when the relief bell gives notice the warned prisoners appear at their stall doors in readiness to ascend the wheel, and vacate the boxes for those being relieved. Vide diagram.

4. By this arrangement, not only are the services of a second officer dispensed with, but the men are kept strictly apart from each other, both at labour and at rest, with the option of employing the interval in reading, strict silence being effectually secured. The particular punishment of treadwheel labour, in itself of a deterring nature, is thus rendered doubly obnoxious to the prisoners by the secluded condition in which the work is performed, and the total solitude in which intervals of relief are passed. The highest state of discipline is also by these means effectively carried out, and cleanliness is enforced by a regulated amount of clothing each man is permitted to wear during labour.

5. The period of the prisoners stay on the wheel is defined by machinery. When the wheel has made three evolutions it is signified by the striking of the dial bell, at which event each man ascends to or descends from the wheel; and in connexion with this is the dial notifying the progression of a prisoner's labour and the number of feet in ascension which he makes daily.

6. A means of communication, through a large aperture and by a bell, exists from the treadwheel to the mill-room, whereby the respective officers are enabled to give mutual notice whenever casualties should require.

7. Each of the resting stalls is provided with a small tablet bearing the number of the apartment, used as a signal in case of sudden indisposition or other emergency, which is passed through a small groove in the stall directly under the observation of the officer, and summoning his immediate presence.

8. The unsightly range of work-sheds situated formerly between the superintendent's office and the receiving division, immediately opposite the separate apartments, where a portion of hired mechanics were employed, has been pulled down, affording to the front yard a more cleanly appearance, as also a larger space of ground for musters and inspections, or for exercising prisoners under solitary confinement, and those awaiting removal to penal stations.

9. Workshops for the blacksmiths, carpenters, tinmen, turners, &c. have been erected in the lumber yard, where is also an office for the overseer supervising them.

10. The partition wall dividing the mess rooms has recently been removed, allowing more accommodation to prisoners when at meals or in the schools; thus the whole body of men while in the apartment remain under the immediate supervision of one officer. The spacious room now affords accommodation for 600 prisoners.

Conduct and Efficiency of the Officers.

11. The subordinate officers generally have conducted themselves in a most satisfactory manner, and in the discharge of the arduous and important duties of their various situations have manifested a zeal and attention highly commendable.

12. During the year many changes have taken place, numbering several promotions, both within the establishment itself and transfer to other convict stations, amongst which may be mentioned the transfer of Mr Senior Assistant Superintendent Brown to Deputy Superintendent at Port Arthur, and the appointment of Mr. Duncan, late schoolmaster at that station, in succession.

13. In so extensive an establishment, where the inmates are of so fluctuating and varied a character, and where the particular discipline is carried out with an unceasing watchfulness, in the rigid maintenance of obedience, industry, regularity, and cleanliness, it would be difficult to find any other prison of this nature and of similar magnitude where offences even of a minor character are less frequent. In my predecessor's last report, during a period of 6 months, 28 of the inmates have been guilty of offences requiring magisterial adjudication out of a population of 6,009 individuals; during the past year the number has been 51 out of 10,014. Not a single case of assault or insubordination has occurred. Offences against decency are unknown, and the infliction of the degrading and hardening punishment of the lash has ceased to exist.

14. The conduct of the convicts, as a body has been good; and whilst in the building I have no hesitation in saying, their general demeanour, attention to personal cleanliness, neatness in their dress, and regularity in the schools and wards, has been most exemplary. Nor would I omit to mark their desire to become acquainted with and obey the regulations of the prison, or their very orderly appearance, steadiness, and perfect subordination on the muster ground and at inspections. Of the number of convicts undergoing probation at the establishment, more than two thirds are in possession of the good-conduct badges mentioned by my predecessor as in operation at the period of his last report.

Labour and Treatment of the Convicts.

15. The whole of the convicts are employed on the public works of Hobart Town. The civil prisoners are worked within the building, at treadwheel labour and breaking metal, together with such of the convicts as may have been ordered to that description of labour as a punishment for minor breaches of prison discipline, those undergoing solitary confinement, or under magisterial sentences awaiting removal to other penal establishments on Tasman's Peninsula or elsewhere, or employed in the numerous barrack duties of cleaning, &c. Their general distribution on the 31st December is given in Return marked (A.)

16. The diminished strength of the establishment caused by the large number of convicts emerging from their first probation and entering private service during the past year, together with the comparative small number of pass and ticket-of-leave holders under punishment, renders it exceedingly difficult to furnish the labour required by the several public departments. Of these works, some are almost at a stand, in consequence of the scarcity of labour, while the improvements of the wharf by convict labour have been entirely abandoned. Vide Return (B.)

17. Here also the system of taskwork labour is in active operation. The peculiar nature of the work is however found to be incompatible with its regulations in computing the exact quantity of labour performed upon which the amount of credit is rewarded as required by the task-work scale, in consequence of the continued change of men into various gangs employed in different descriptions of labour of a jobbing and contingent character, or their transfer to out-stations; yet the principles of the scheme have been strictly enforced, under close and minute observation of the conduct and industry of each convict when at labour, by the overseer. This is daily notified by the officer in his taskwork book by letters bearing an equivalency of amount of credit, and has been found effectual in encouraging the industrious and well-conducted convicts, while the idle or disorderly are thus brought directly under notice.

18. The discipline of the establishment, in which no change of importance has been found necessary, has been strictly and effectually maintained. The regulations have been fully complied with; and while the utmost strictness is enforced throughout every stage of the prisoner's punishment, his reformation and restoration to society is matter of anxious care, and largely introduced into the system of treatment adopted, habits of industry, obedience, and respect being unceasingly inculcated.

19. It is, however, much to be regretted that so small a portion of the establishment has been arranged under the separate confinement principle; a system which has been found most beneficial as a reformatory means of coercion, affording every opportunity for wholesome reflection, mingling the horrors of the past with present punishment, and affording like occasion for the formation of resolutions for the future,—leading the mind of the convict into a state of preparation, by uninterrupted communication with their spiritual advisers, presenting opportune moments for imparting moral and religious instruction, in which the convicts become strengthened before being placed in association. Here, however, the very small number of apartments admits of their use but as a measure of coercion to subdue the violent and ill-disposed, whose removal from the general body of convicts, either in the yards or dormitories, is found necessary, to preserve the order of the establishment; a most salutary and reformatory mode of punishment.

20. The opportunities for the moral and mental improvement of the convicts, by the system of public reading in the wards during the evening, and in the mess-room on wet days, and the intermediate hours of divine service on the sabbath, continues to be afforded, together with the instruction imparted through the medium of the evening schools.

Demand for Convict Labour.

21. Never was the scarcity of labour so deeply felt as at the present period in Van Diemen's Land, so that for every convict who now emerges from his punishments—for these are the only class who can at present be looked forward to by the settlers for servants—there are upwards of 1,000 applications, 800 of which are continually remaining uncomplished with, fully establishing the fact that the demand for convict labour continues unabated, while applications are daily pouring in, in terms of supplication, for the extension of convict labour to land-owners, agriculturists, flock masters, and every other class occupied in pastoral pursuits, mechanical arts, or in trade.

22. During the year 1853 there has not been a single convict eligible for hire after 9 o'clock in the morning on any one day.

23. This scarcity of labour has necessarily increased the rate of wages in a very serious degree, and although the engagements are entered in the hiring register of the establishment nominally at from 10*l.* to 20*l.* per annum, yet I may safely assert that, with very few exceptions, the actual rate of wages paid to the men are, labourers from 5*s.* to 7*s.* daily; ploughmen, shepherds, stockmen, 30*l.* to 60*l.* per annum; cabinet makers, carpenters, bricklayers, masons, blacksmiths, from 2*l.* to 4*l.* weekly, and even as high as 5*l.*; shopmen, clerks, and individuals of other educated professions, 100*l.* to 200*l.* per annum and upwards; while sawyers and splitters can easily earn 5*l.* to 7*l.* weekly.

24. The whole of the convicts eligible for private service, who arrived by the ships "Lord Auckland," "Rodney," "Oriental Queen," and "St. Vincent," amounting to 741 men, after being provided with the private service clothing sent out with them, were minutely inspected and, the various regulations referring to their position in the colony explained and promulgated amongst them. The requirements of the convict and other public departments were then complied with, amounting to 268 prisoners, and the residue distributed amongst the settlers under the system carried out, viz., by ballot, as by the ships "Fairlie" and "Aboukir." The hiring of the convicts by each ship, occupying about three quarters of an hour, afforded general satisfaction.

25. The number of convicts hired at this establishment during the past year has been 4,709; upwards of 1,500 applications, in addition to those received at your office, remaining uncomplished with.

General Observations.

26. The number of prisoners of all classes received into the prison during the year 1853 has been 9,442, and the discharges 9,645, making a total of 19,087 changes; an amount of fluctuations which, I am of opinion, rarely occurs in any similar establishment in the world.

27. Such an amount of change amongst the inmates of the prison has necessarily entailed, on the part of officers, unceasing vigilance, and considerably augmented the business of the office, requiring the utmost zeal and attention, indispensable to the accuracy of the numerous registers and returns, together with the extensive correspondence caused by the system of hiring now in operation. *Vide Return (C.)*

28. The number of free persons received into the establishment under committal to the House of Correction has been 953; a very large increase, as compared with the receipts of the preceding year. Of this number a large proportion consists of sailors committed under the Merchants' Seamen's Act, for violation of their articles, particularly in refusing to work, on the ship's arrival at Hobart Town, in order to leave the vessel, and proceed to the adjacent colonies, consequent upon the gold discoveries, or to avail themselves of the increased rate of wages obtainable here, owing to the scarcity of hands in this as well as every other occupation.

29. A trifling diminution has taken place in the number of recommitments to the House of Correction, as will be seen upon reference to Return (D.) In these cases it has been observed that the persons so re-committed are generally individuals incapable of gaining a livelihood by labour, and found begging or wandering about the streets, and sent to this establishment under the Vagrant Act; such men, being physically incapacitated for tread-wheel labour, having terminated their periods of transportation, and discharged from the Invalid Station at Impression Bay, at their own request, have returned to Hobart Town, without the means of subsistence.

30. The garden at this establishment has been considerably improved and enlarged by the portion of enclosed land north of the gardener's house having been thoroughly broken up and cultivated. The piggery also is in excellent order. The quantities of pork and vegetables produced will be seen on reference to Return (A.), together with the estimated value, calculated on prices now paid by the commissariat to the contractors for these descriptions of provisions. The quantity of wheat ground at the establishment will also be found in this return.

31. The appended extracts from the visitors' register show, as at other convict establishments, an increased degree of interest evinced by the public in the penal institutions of the colony, more especially by the number of strangers from the adjacent provinces, whose testimony therein is expressed after a close investigation throughout the establishment, and a minute explanation of every dated.

32. In conclusion permit me to observe that the short period with which I have been honoured with the charge of this establishment renders it impracticable for me to do

adequate justice to an annual report of so large a prison; the remarks here made must therefore be considered more as an opinion of the high state of discipline, perfect cleanliness, regularity, and order in which my predecessor handed over his charge.

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The following returns are herewith annexed:—

1. Diagram exhibiting treadwheel-room, compartments, and resting stalls.

A. Return showing the general distribution of the prisoners on the 31st December 1853, also the quantity and value of the pork and vegetables raised at the Penitentiary garden, together with the quantity of wheat ground by tread-wheel labour.

B. Return showing the detailed strength of the establishment on the 31st December 1853.

C. Return showing the number of prisoners received and discharged during the year 1853.

D. Return detailing the number of re-commitments to the House of Correction during the year ending the 31st December 1853.

Extracts from strangers' visiting book for the year 1853.

I have, &c.

(Signed) J. M. MAY,
Superintendent, Convict Establishments.

The Comptroller General,
&c. &c. &c.

A.

Prisoners' Barracks, Hobart Town,
2d January 1854.

RETURN showing the General Distribution of the Prisoners on the 31st December 1853; also the Quantity and Value of the Pork and Vegetables raised at the Penitentiary Garden, together with the Quantity of Wheat ground by Tread-wheel Labour.

Prisoners' barracks gang	-	-	-	-	-	20
Royal engineer yard	-	-	-	-	-	34
Cascades' quarry works	-	-	-	-	-	31
Domain quarry	-	-	-	-	-	9
Queen's Orphan school	-	-	-	-	-	12
Brickfields	-	-	-	-	-	13
Commissariat wharf	-	-	-	-	-	9
Commissariat	-	-	-	-	-	11
Ordnance stores	-	-	-	-	-	5
Government house and garden	-	-	-	-	-	5
Marine department	-	-	-	-	-	6
Burial ground	-	-	-	-	-	1
Penitentiary garden	-	-	-	-	-	6
Cascade factory road	-	-	-	-	-	—
Royal Society's gardens	-	-	-	-	-	—
Queen's Orphan school farms	-	-	-	-	-	1
Brickfields' factory	-	-	-	-	-	1
Waterworks	-	-	-	-	-	18
Town surveyors	-	-	-	-	-	7
Wharves and buildings	-	-	-	-	-	68
Tread wheel	-	-	-	-	-	11
Detached	-	-	-	-	-	29
Tailors and shoemakers	-	-	-	-	-	20
Acting constables	-	-	-	-	-	20
Lumber yard	-	-	-	-	-	21
Stone breaking	-	-	-	-	-	19
Mat makers	-	-	-	-	-	4
Messengers	-	-	-	-	-	2
Emptying cesspools	-	-	-	-	-	4
Watchmen, &c.	-	-	-	-	-	12
Under engagement to the Government	-	-	-	-	-	29
On loan, and paid for	-	-	-	-	-	8
Total effectives						429
Admitted to hospital	-	-	-	-	-	—
Light labour, by medical authority	-	-	-	-	-	6
Solitary confinement	-	-	-	-	-	21
Remanded to police office	-	-	-	-	-	10
Remanded for visiting magistrate	-	-	-	-	-	—
Awaiting removal to employers	-	-	-	-	-	12
Expirees	-	-	-	-	-	1
Servants	-	-	-	-	-	6
Awaiting orders	-	-	-	-	-	2
Awaiting removal to stations	-	-	-	-	-	14

Total non-effectives - - 72

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Wardsmen	-	-	-	-	-	-	16
Cooks and bakers	-	-	-	-	-	-	8
Mess-room cleaners	-	-	-	-	-	-	7
Barbers and yardsmen	-	-	-	-	-	-	1
Chapel cleaner and store labourer	-	-	-	-	-	-	2
Lamp and closet cleaners	-	-	-	-	-	-	3
Unpaid writers	-	-	-	-	-	-	2
Head monitor	-	-	-	-	-	-	1
Total barrack duties							40
Tread wheel	-	-	-	-	-	-	41
Sick and exempt	-	-	-	-	-	-	33
Solitary confinement	-	-	-	-	-	-	6
Wardsmen	-	-	-	-	-	-	2
Light labour	-	-	-	-	-	-	-
Separate treatment	-	-	-	-	-	-	16
Awaiting removal	-	-	-	-	-	-	-
Total civil prisoners							98
Strength of establishment							639

J. M. MAY, Superintendent.

A.

Return of Quantity and Value of Vegetables and Pork raised at the Penitentiary Garden and Piggery, also of the Quantity of Wheat Ground.

PORK.		VEGETABLES.			WHEAT GROUND.
Quantity.	Value.	Quantity.	Value.		
lbs.	£ s. d.	lbs.	£ s. d.	Bushels.	
3,034	51 12 6	83,499	574 1 3	7,357	

J. M. MAY,
Superintendent.

B.

Prisoners' Barracks, Hobart Town, January 1, 1854.

RETURN showing the Number of all Classes of Prisoners in this Establishment on the 31st December 1853, also the Strength on the last Day of the preceding Year.

Civil Prisoners.	Ticket-of-Leave Holders.	Passholders.	Prisoners under Probation.	Total Strength.	Strength of the Establishment on the 31st Dec. 1852.	Decrease.
104	153	231	151	639	842	203

J. M. MAY,
Superintendent.

C.

Prisoners' Barracks, Hobart Town, January 1, 1854.

RETURN showing the Number of Prisoners received and discharged during the Year 1853.

Civil Prisoners.		Ticket-of-Leave Holders.		Probationary Ticket-of-Leave Holders.		Passholders.		Under Primary Probation.		Total Numbers.		Grand Total Changes.	
Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	From 1st Jan 1852 to 31st Dec. 1852.	From 1st Jan. to 31st Dec. 1853.
953	897	871	858	159	193	7,092	7,231	367	466	9,442	9,645	19,346	19,087

J. M. MAY,
Superintendent.

D.

VAN DIEMEN'S
LAND.Prisoners' Barracks, Hobart Town,
January 1, 1854.RETURN showing the Number of Recommitments to the House of Correction during the
Year ending the 31st December 1853.

Com- mitted Once.	Recom- mitted Twice.	Recom- mitted Three Times.	Recom- mitted Four Times.	Recom- mitted Five Times.	Recom- mitted Six Times.	Recom- mitted Seven Times.	Recom- mitted Eight Times.	Recom- mitted Nine Times.	Recommitted Ten Times and upwards.	Total Number of Commit- ments.
820	81	28	10	5	4	—	2	1	2	953

J. M. MAY,
Superintendent.

EXTRACTS from STRANGERS' VISITING REGISTER.

1. January 1.
We have been kindly shown over this establishment and have been highly gratified at the order and cleanliness which prevail, and which reflect great credit upon those who have the management of it.
(Signed) ROBERT LINDSAY.
FREDERICK MACKIE.
2. January 6.
We cordially agree with the foregoing remark.
(Signed) JNO. B. HODGSON, South Australia.
GEO. H. GIBSON, South Australia.
A. M. RADCLIFF.
3. January 8.
(Signed) R. LEWIS, J.P.
JNO. WACKER, M.L.C.
4. January 10.
The extreme cleanliness, order, and regularity which distinguish this excellent establishment have excited my most unqualified admiration, and I feel great satisfaction in expressing my thanks to the Superintendent, Mr. Boyd, for his attention in showing me all the branches and explaining the interior economy of the Prisoners' Barracks. The system of discipline exhibits a laudable anxiety to preserve the health and improve the moral condition of the prisoners.
(Signed) REDMOND BARRY,
Judge of the Supreme Court of the colony of Victoria.
5. January 15.
I have much pleasure in testifying to the extreme cleanliness and regularity of every department of this establishment, and in expressing my sense of the attention of the Superintendent, who has fully explained every detail.
(Signed) WM. STEPHENS, Bengal Army.
6. January 15.
We have been highly gratified by the great good order and discipline prevailing throughout this establishment, which Mr. Boyd most kindly showed us over, and gave every information we could wish.
(Signed) E. P. ROBINSON.
R. C. BLENCOWE.
7. January 15.
We have been highly pleased by the good order and discipline prevailing throughout this establishment.
(Signed) C. KITCHING, Surgeon.
J. COCKETT.
8. January 22.
I have been delighted with the good order, discipline, and cleanliness of this establishment.
(Signed) THOMAS SMITH.
9. January 22.
The cleanliness, discipline and good order maintained in this establishment must excite the admiration of every visitor.
(Signed) J. DUFFY MACKAY.

VAN DIEMEN'S
LAND.

10. January 25.
I have inspected this establishment in all its parts, and found the most perfect order and cleanliness prevailing throughout. The arrangements relating to separate dormitories of the men are admirable.

(Signed) R. LEWIS, J.P.

11. January 25.
I have inspected this establishment with much interest, and beg to record my satisfaction with the system and discipline observed in the management of the prisoners. The cleanliness and good order of the whole establishment are deserving of every approbation I can offer.

I beg also to express my thanks to Mr. Boyd, the Superintendent, for his attention, and the valuable information he has afforded me on the subject of the prison discipline.

(Signed) R. W. POHLMAN.
Chairman of General Sessions, Victoria.

12. I fully concur in the foregoing remarks of Mr. Pohlman.

(Signed) GEO. WHITCOMB.

13. January 25.
Having this day visited the various departments in the Prisoners' Barracks, I have the satisfaction to record that in my opinion their general arrangement is well calculated to insure the advantages of a system of separate treatment for the prisoners, and that the general appearance and demeanour of the inmates affords a striking proof of the rigid discipline. For cleanliness the barracks cannot be surpassed.

(Signed) J. M. WILSON, J.P., Melbourne.

14. January 27.
Having visited the several departments of this establishment, I beg to express my unqualified approbation of the manner in which the prisoners are treated, so different from what I had expected. I was also much pleased by the information I received from Mr. Boyd relative to the improvements introduced of late years in the treatment of prisoners.

(Signed) JNO. CALLAGHAN.

15. January 31.
Having this day been over the various departments, I wish to express my great satisfaction with the perfect cleanliness and high state of discipline throughout the establishment.

(Signed) WM. CASSON.

16. From my experience at the Mountjoy Model Prison, Dublin, during my training, I feel confident that this prison is in the highest state of discipline.

(Signed) EDWARD MOLLOY,
Permanent Government Instructor, H.M.C. Service.

17. February 1.
I have inspected this establishment, and approve of the system and management, as far as my judgement carries me.

(Signed) JAMES GILL, Merchant, Victoria.
THOMAS LOYD.

18. February 5.
I have this day visited this establishment, and consider it complete in all its arrangements.

(Signed) J. DAVIDSON, M.D, Surgeon R.N.

19. I have been most highly gratified in inspecting this establishment. Having known it some years since, I am astonished at seeing its perfect order and quiet, where formerly filth, disorder, and noise existed to a fearful extent. I have now had many years experience amongst prisoners, and, aware as I am of what has been effected in this penitentiary, I cannot but admire the perseverance in reformation that has led to the happy results I have this day witnessed. Whilst the prisoners have every reason for thanking the gentleman at the head of this establishment for ameliorating their condition whilst under punishment, the colonists may at the same time be thankful for a system of discipline which (if anything is likely to lead to reformation in the convicts) must have a most beneficial effect on the convicts of the colony.

(Signed) JOHN PRICE.
Civil Commandant, Norfolk Island.

20. February 12.
I have inspected this establishment with much interest, and have been exceedingly gratified at the excellent arrangement for the cleanliness and development of the moral faculties of the prisoners, and take this opportunity of expressing my thanks to the Superintendent for his politeness.

(Signed) J. JOXTON,
H. M. Customs, Victoria.

21. February 12.
I have visited the different wards of this establishment, and was both astonished and pleased at the discipline and cleanliness throughout.
(Signed) HY. ALLEN, Hobarton.
THOS. GUY.
22. February 17.
I have visited the different wards of this establishment, and am astonished at the good discipline and much pleased with the cleanliness displayed throughout.
(Signed) GEORGE LOADMAN,
Commander, Ship "Louisa."
LESTER HAMSON,
Commander, Ship "Autumnus."
23. February 18.
I visited the different wards of the Hobart Town Penitentiary, and was surprised to find how beautifully and systematically every thing is arranged.
(Signed) MAURICE J. MOSES.
24. February 22.
I visited the prison, and found it in the most perfect order.
(Signed) ROBERT O' BURKE.
Rev. M. J. BARRY FITZPATRICK.
25. Visited and found the cells neat and clean; most excellent order in every department; and was particularly pleased with the cleanliness all through the prison.
(Signed) M. T. BARRY.
26. February 24.
I have visited the different wards of the barracks, and have been highly pleased with the neatness, regularity, and discipline manifest everywhere.
(Signed) A. G. PHELPS DODGE, New York, U.S.
27. March 7.
I have this day visited this establishment, and beg to express a most favourable opinion as to the order, cleanliness, and regularity visible in every department.
(Signed) GEORGE T. GALBRAITH,
Staff Surgeon, 2d Class.
28. March 8.
We beg to express the great satisfaction experienced on visiting the arrangements of this establishment, both for order and regularity.
(Signed) DAVID DYER, Merchant, Melbourne.
EMD. O. SHARP, Melbourne.
29. March 9.
I have been much gratified in visiting this establishment, which seems to be perfect in all its arrangements.
(Signed) S. H. ANGAS, South Australia.
JNO. B. HODGSON.
30. March 10.
I have examined this prison, and much surprised with the degree of cleanliness, order, and comfort exhibited in it.
(Signed) EDWD. ALLEN, late Bengal Artillery.
31. We have visited the various wards of the penitentiary this day, and have been highly pleased with the order and regularity and beautiful cleanliness of the building, reflecting the highest credit on the Superintendent, Mr. Boyd.
(Signed) C. M. HALL.
WILLIAM MORTON.
32. March 13.
I have visited the various departments of the penitentiary this day. In each I have observed the most perfect cleanliness, order, and regularity, affording the strongest evidence of the attention and anxiety which is given to the comfort and health of the prisoners; a state of things which I consider to be the result of an admirable system of discipline established, combined with able and energetic efforts on the part of the Superintendent in carrying that system into operation.
(Signed) JNO. KIRWAN, A.P. Magistrate, Huon.
33. March 17.
I beg to record my entire approval of the system of management in this establishment; and I have great pleasure in bearing testimony to the efficiency of every department. The cleanliness and order throughout reflect the greatest credit upon the officers. I beg to render my thanks to Mr. Boyd for his courtesy and information as to the system.
(Signed) J. C. RIDDELL, Victoria.

VAN DIEMEN'S
LAND.

34. March 19.
Having visited this prison, I feel much pleasure in recording my approval of the general cleanliness and discipline evinced throughout the building.
(Signed) J. C. RAINER, America, U.S.
35. March 22.
Mr. Boyd having kindly permitted me to view the establishment, I feel great pleasure in bearing testimony to the order, regularity, and general appearance exhibited.
(Signed) W. DOUGLAS.
36.
We having been kindly escorted by Mr. Pybus through almost the entire establishment, beg to express our gratification at the cleanliness, method, and order so observable even at a glance.
(Signed) W. CARR BOYD, P.L.D., A.B.
GEO. A. MACKIE.
37.
I have much pleasure in recording my favourable opinion as to the thorough cleanliness of this establishment, and the order and discipline of the prisoners; and beg to thank Mr. Pybus for his attention and information.
(Signed) F. A. POWLETT, Colonial Treasurer, Victoria.
38.
It gives me much pleasure to testify to the extreme cleanliness, order, and admirable discipline preserved in the establishment, which in my opinion reflect the highest credit upon all the officers connected therewith,
(Signed) EDWD. GRIMES, Immigration Agent, Victoria.
39.
I feel very great pleasure in bearing my testimony to the extreme cleanliness, regularity, and judicious treatment carried out by James Boyd, Esquire, in the management of this penitentiary. I have no hesitation in saying that its effects will prove an incalculable blessing, not only to the bond but to the free.
(Signed) EDWARD P. DURHAM, Convict Chaplain.
40.
I have visited this establishment under Mr. Boyd's charge, and am much gratified by the order and cleanliness visible throughout the buildings.
(Signed) MICHL. VICARY.
41. March 31.
We feel great pleasure in bearing testimony to the cleanliness and order with which everything is conducted in this establishment.
(Signed) JAMES F. ROSE.
ARTHUR W. CRUTCHLEY.
A. D. TOOTAL.
JOHN FINLAY.
JAMES TODMAN, M.D.,
H. M. C. C. Service.
42. April 1.
Having been politely shown the establishment by Mr. Pybus, I can most truly express my satisfaction with the cleanliness of the place, the apparent efficiency of the discipline enforced, and the means afforded for the educational improvement of the prisoners.
(Signed) WM. COOTE, Davey Street.
43. April 5.
Shown round the establishment by Mr. Boyd. Not having visited the penitentiary for many years, I was much struck and highly gratified with the scrupulous cleanliness, order, and regularity observable in every department.
(Signed) WM. GORE ELLISTON, J.P.
44.
I have inspected every part of this establishment, with Mr. Pybus, and cannot conceive one to be conducted with greater order, regularity, and cleanliness. It reflects the highest credit on the Superintendent and the officers over it.
(Signed) TH. MACDOWELL,
Manager, Tasmanian Insurance Company.
45. April 9.
I have been shown round this establishment, and am very much pleased with the order and regularity I have witnessed. I have inspected similar concerns in other countries; amongst others, Sing Sing on the Hudson, U.S. The contrast is very much in favour of this.
(Signed) FREDK. FOWLER.

46. April 15.
Having visited this establishment with Mr. Boyd, I was much pleased with its arrangements and cleanliness.
VAN DIEMEN'S LAND.
(Signed) DAVID THOMAS, Surgeon, R.N.
47. April 22.
I have visited every part of this establishment, and feel highly gratified at the neat and cleanly appearance of each part, and also with the arrangements for the comfort and discipline of so important an establishment.
(Signed) W. SECCOMBE, Col^l Surgeon.
48. May 2.
I have visited this establishment with my friend Mr. Higginson, and find its cleanliness quite equal to any of our English establishments, and the general arrangements very superior.
(Signed) H. YOUNG.
49. May 19.
I have visited this establishment.
(Signed) S. MOSES.
50.
I have, in company with Mrs. Perks and the Rev. Mr. Medland, been very politely shown over this establishment.
The cleanliness and good order everywhere manifest reflects great credit upon the officers. I have, after some experience in English prisons, great pleasure in testifying that I have never seen anything more satisfactory to myself than here.
(Signed) THOMAS PERKS,
Incumbent of Richmond, Victoria.
51. June 8.
I have visited this establishment, and am very much pleased with the cleanliness, order, and regularity which prevails throughout it, and which *cannot* be exceeded.
(Signed) J. S. HAWKINS, Captn. Rl. Engineers.
52. June 24.
Having been conducted over a great part of this establishment, I have much satisfaction in thus expressing my approval and admiration of the entire management of this house of correction.
(Signed) ROBERT LAWSON,
Rector of the Melbourne Academy.
53.
Having been conducted over a great part of this establishment, we have much satisfaction in expressing our admiration of the entire management of this establishment.
(Signed) CHARLES SMITH, Surgeon R.N.
T. SOMERVILLE, Surgeon R.N.
54. July 21.
Having been conducted over the penitentiary, we cannot but express our admiration of the perfect order, cleanliness, and healthy appearance of the inmates, which could not possibly be the case without the most perfect management.
(Signed) R. F. HOWARD, Liverpool, England.
JOHN STEWART.
55.
This establishment surpasses all idea of good management, regularity, and cleanliness.
(Signed) J. R. BATEMAN.
56. July 25.
I have this day visited the whole of the penitentiary, dormitories, cells, mess-rooms, &c., and feel great pleasure in bearing testimony to the admirable manner in which the various duties are carried on, the extreme cleanliness of the several buildings, and the order and regularity pervading the whole establishment, thus reflecting very great credit upon the present Superintendent, for the zeal as well as judgment evinced by him in the performance of his arduous duties.
(Signed) H. M. G. Day, J.P., Captn. 99th. Regt.
57. July 27.
We have this day, through the courtesy of the Superintendent, been shown the entire arrangement of this establishment, and feel that we cannot speak too highly of what we conceive to be the admirable system by which it is conducted, and more especially we have been struck by the extreme order and beautiful cleanliness of the different compartments.
(Signed) J. E. DOWLING, M.D.,
Trin. Coll., Dublin.
GEO. W. DUMBELL,
Trin. Coll., Cambridge.

VAN DIEMEN'S
LAND.

58.

August 11.

We have this day visited the Hobart Town Penitentiary, and beg to express our satisfaction in witnessing the cleanliness, the order, and the regularity which seems to be observed throughout the establishment.

(Signed) J. W. HICKLING.
ROBERT BALDRY.
MRS. HICKLING.
ELLEN J. HICKLING.

59.

August 17.

The neatness, cleanliness, good order, and excellent regulations that prevail in this extraordinary establishment is highly creditable to the wise and just government which can even furnish the criminal with the comforts of existence.

(Signed) MONTAGUE MOSES.

60.

August 17.

We have this day visited this establishment, and were highly pleased with the good order, cleanliness, and regularity prevailing throughout the several departments.

(Signed) JOHN R. BUCKLAND,
Head Master of the Hutchins' School.
H. F. MIDDLETON, B.A., Hobarton.
R. WIGMORE.
W. REED.

61.

We have this day visited the different parts of this establishment, and found everything in a high state of cleanliness and good order.

(Signed) ALEXR. CARMICHAEL.
S. E. BLEDBERG.
DUCROIX.

62.

We have this day visited this establishment, and are much gratified with the great order and regularity prevailing throughout.

(Signed) GEO. R. PRENDERGAST.
E. DE PASS.
JOHN DE PASS.

63.

We have this day visited this establishment, and consider the whole arrangements reflect high credit upon Mr. Boyd and his officers.

(Signed) W. RACE ALLISON, M.L.C.
ADAM JACKSON, J.P.
THOMAS WEAYR, Melbourne.
JNO. NAIRN.
J. THOMPSON.
G. C. CLARK.

64.

September 2.

I have this day visited this establishment, of which I have pleasure in stating the different departments are kept in the most admirable order.

(Signed) JAMES CROW.
DAVID GRAHAM.
E. HUTTON.

65.

September 3.

In this day, visiting this establishment, we cannot help expressing our gratification in witnessing the admirable discipline, order, and cleanliness prevailing throughout.

(Signed) GEO. TINLINE.
MRS. TINLINE.

66.

We have this day visited this establishment, and are much pleased with the order and cleanliness of everything connected with it.

(Signed) JNO. J. DICKSON.
WM. SLOANE.
T. STEWART.

67.

September 6.

Having visited this establishment this day, we must express our pleasure in witnessing the great order and cleanliness which reigns throughout.

(Signed) ALFRED EYRE, P.M., Ballarat, Victoria.
A. INNES.

68.

September 10.

The Mayor of Hobart Town and Alderman Worley have this day visited this establishment throughout, and have much pleasure in recording their high approval of the superior arrangements of its internal economy, and the order and discipline carried out therein, which reflects the greatest credit upon its Superintendent.

(Signed) WM. CARTER.
ROBERT WORLEY.

69.

I have had great pleasure in looking over this establishment, and I consider great credit is due to the officers in conducting the same.

(Signed) WM. WILLIAMS, Launceston.

70.

September 17.

I am glad to concur with my friend Mr. W. Williams, in reference to this establishment, having visited it with him.

(Signed) WM. HEADLAM, Launceston.

71.

September 25.

I looked over all this establishment, and feel much pleasure in stating that everything appears to be conducted on the most creditable manner to the Superintendent.

(Signed) ALEXR. CLERKE, M.L.C., Mountford.

72.

Excellent order, discipline, and cleanliness observed by the undersigned in this establishment, and the officers courteous and obliging.

(Signed) CHARLES TENT.

73.

October 6.

I hereby express my decided approval of the order and general good management of this establishment.

(Signed) R. BALBINNIE, J.P.

74.

October 15.

I have again inspected the greater part of this excellently conducted establishment, and have only to repeat my formerly expressed opinion of the cleanliness and order which everywhere prevail.

(Signed) R. OFFICER.

75.

October 15.

Having this day examined the greater part of this establishment, I am glad to be able to say that everything is in the highest order and cleanliness, and that the management reflects great credit on its manager.

(Signed) JOSEPH MILLER.

76.

October 17.

I was in the engineer's office when a great portion of this establishment was erected, but I had no idea of finding so great a change as I have done on examining the various wards, dormitories, mess-rooms, &c. I think the whole establishment as near perfection as such a place can be, and it reflects great credit on the Superintendent and his officers.

(Signed) JAMES A. THOMPSON, Architect.

77.

October 26.

The arrangements of this establishment are admirable.

(Signed) HENRY EDISS.

78.

October 26.

I beg to express my opinion as to this establishment which is the most perfect as to cleanliness and comfort ever visited by me.

(Signed) G. H. ELLIOTT, late of New York, U.S.

79.

October 26.

Visited this establishment on this date, and I beg to record my satisfaction at the completeness and management of the whole.

(Signed) CHAS. B. NEWENHAM,
Sheriff of South Australia.

80. VISITED.

(Signed) RAWDON F. GREENE, Woodlands, Victoria.

81.

November 1.

The arrangements of the establishment are admirable.

(Signed) THOS. KERR, Geelong.

82.

The arrangements of this establishment are complete.

(Signed) ALFRED DEINLON.

83.

November 23.

On behalf of Mr. Bradshaw and myself, I beg to express the gratification we have experienced in observing the most unexceptionable arrangements of this establishment, and our sense of the urbanity and courtesy of the officers.

(Signed) J. W. WILLIAMS, London.

84.

We have been shown over this establishment in a most courteous manner by one of the officers, and we are at considerable loss how to express our high admiration of its entire adaptation to the amelioration and restoration of fallen humanity.

(Signed) ROBERT ROBERTSON.
ROBT. BODINGTON.

VAN DIEMEN'S
LAND.

85.

December 8.

Having this day gone over the whole of this establishment, I have much pleasure in adding my testimony to the very excellent arrangements in force; the cleanliness and discipline I have never seen equalled. The entire system and the way in which it is carried out, are highly creditable to the officers in whose charge the establishment is placed.

(Signed) FRAS. J. COCKBURN, Bengal C. Service.

86.

December 13.

We have visited this establishment and been shown over the different departments, and cannot express too highly our satisfaction at the civility and attention shown us, and at the extreme cleanliness, order, and general apparent efficiency of the discipline in which the penal system is carried out.

(Signed) WM. ELLISON,
Owner of the "Cornubia" ex "Calcutta."
W. KNIGHT.

87.

December 13.

Having this day visited this establishment, and shown through the different departments, have much pleasure in bearing testimony to the admirable arrangements of the whole establishment.

(Signed) THOS. V. B. BINGAY.

88.

December 15.

I have seen the establishment, and am well pleased with all the arrangements.

(Signed) MATTHEW COMBE.

89.

December 15.

I have this day been shown through the establishment, and am much pleased at the cleanliness in every part, and the very superior manner in which it appears to be conducted.

(Signed) GEO. LAMB.

90.

December 19.

I have been much gratified to find, on an inspection of this establishment, that while convictism has been shorn of its horrors, due regard has been paid to strict discipline, and that the habits of regularity and cleanliness which must be required by the convicts, unless hopelessly depraved, will tend to make them good members of society on their restoration to liberty.

(Signed) JAMES HARRISON,
Editor of the "Geelong Advertiser."

91.

Having visited the several departments of this establishment, we have pleasure in bearing testimony to the admirable arrangements of the whole, more especially in regard to the cleanliness and order generally prevailing.

(Signed) JNO. L. MORAY, Melbourne.
S. J. NANKIRL, Melbourne.
CRAWFORD NAIRN, Melbourne.

(A true Copy.)

J. M. MAY, Superintendent.

SIR,

Prisoners' Barracks, Hobart Town, January 1, 1854.

1. IN forwarding to you, for the information of the Comptroller-General, my report of the school at this establishment since taking charge on the 1st of February last, I beg to offer as a preliminary a few observations on the system and course of instruction pursued.

2. The school consist of seven classes; the first, A, comprising those men under magisterial sentences who can read, write, and cipher well; the second B, those who can read, write, and cipher as far as the rule of three; the third, C, those who can read, write, and cipher the first four rules; the fourth, D, men under primary probation who can read, write, and cipher well; the fifth, E, the same class of men who can read, write, and cipher as far as the rule of three; while those who can read and write and are learning to cipher comprise the sixth, F; the seventh class is composed of men of all classes who are learning to read and spell, with tabular arithmetic, as illustrated from large sheets and the black board, in a simultaneous manner.

3. Each man upon his arrival at the school is examined and classed, and monitors are selected from amongst the best informed and best conducted men for the instruction of the various classes, for which extra services they are allowed 4 days each per month. A class consists of ten pupils, all of whom study together the particular branch of education allotted for the evening. The prisoners attend school every evening during the week, except Saturday, when they remain in the wards for the purpose of repairing their clothing, on which occasions the system of public reading is in operation.

4. The conduct of the prisoners has been good, attentive, and orderly in school; and I am happy to add that this behaviour emanates from themselves, without any resort to

coercion, and appears to be the result of a good and wholesome understanding apparently existing between master and pupils, in connexion with the very salutary regulations of the school, which are read to them every evening before the school opens. The hours of attendance are from 6 to 8 o'clock P.M. in winter, and from half past 6 to half past 8 in summer, employed in the following manner: viz., reading, half an hour, spelling, 20 minutes, writing, half an hour, on Monday, Tuesday, and Friday; and on Wednesday and Thursday, reading, 40 minutes, and ciphering about 50 minutes. During each evening's attendance a lecture, extending to 30 minutes or thereabouts, is delivered by myself on various topics, and, when necessary, a map or diagram of the subject is illustrated, so placed as to be seen by all present. In delivering these lectures I endeavour to simplify the subject so as to bring it within the comprehension of the most uninformed amongst the pupils, and which I find improves their mind, and relieves the dull monotony of continually pouring over a book, the feeling of weariness consequent on which, unless varied in some such manner, often creates a strong distaste for learning. Independent of these short evening lectures, many others have been delivered, as will be seen on reference to the appended schedule.

5. These lectures are of infinite benefit, and it is truly pleasing and gratifying to witness the attention paid to them by the prisoners. In addition, the catechist once, if not twice a week, has generally discussed the principles of total abstinence, interlarded with narrations of the direful evils of intemperance, when from time to time, after such discussions, 200 of the prisoners have signed the total abstinence pledge, and have received their cards; and the catechist is happy to be enabled to state from his own knowledge that not a few have kept the vow, and have in after time stated the benefits they and their masters have experienced by their so doing; and others who have broken their pledge have not been unmindful of the advantages of abstaining, and have resigned.

6. The sabbath school (exclusively protestant) is held every Sunday afternoon from 3 till half past 4 o'clock, whilst the Roman catholics are in chapel. On these occasions the Holy Scriptures are read, accompanied with prayer and praise, and the most prominent parts of the chapters read and reconsidered and explained by me, and I am happy to bear testimony to the knowledge they have thus acquired.

7. The chaplain for some time past has held a bible class, the visiting magistrate's office being used for that purpose, and has occasionally visited the night school, and I am happy to state the knowledge they have gained from the above sources; and more than this, their ideas of the grand and fundamental doctrines of Christianity are, generally speaking, very correct; and if their present uniform good conduct, coupled with their oft-expressed determination to become better men and better Christians,—I say if such is the dawn of a godly sorrow for the past, and a bright evidence of a future moral reformation,—may we not indulge the hope that such a reformation has been effected in very, very many instances, surely. I can bear my humble testimony that such has been the case.

8. I have (as also Mr. Wadsworth, my coadjutor,) visited the separate apartments and solitary cells daily, and the inmates have had God's Holy Word read to them; they have been prayed with, and religious instruction and consolation imparted to them. Many tears have been shed on these occasions, and their devious ways have passed in quick succession before their minds, inasmuch as not a few have been brought on their knees with sorrow of heart at the footstool of the Throne of Heavenly Grace.

9. I have been 23 years in this colony, 20 of which have passed in the instruction of youth in various schools of town and country, and for more than three years previous to the appointment I now have the honour to fill was employed as City Missionary in Trinity parish, and have penetrated into many a dark corner where sinners dwelt, but in all my experience I had no idea of the pains taken and expense incurred to improve the mind and religious character of the unfortunate bondsmen.

10. The improvement made by the prisoners under the system adopted is very gratifying; and in no instance, either at home or abroad, have I met with a similar general proficiency; and when the fluctuating state of this establishment is taken into consideration,—a great drawback in itself,—I am struck with admiration at the very great good effected.

11. I beg to remark that the prisoners have the use of an excellent library. The books are issued by Mr. Wadsworth and myself to the prisoners, who are responsible for the careful use of them. There are also public readers, one in each dormitory, who read aloud to the prisoners on wet days, and on other occasions when the prisoners are not at work, as also every evening to those who are exempted from the school. These readings are visited by my coadjutor and self, and invariably find the readers at their post, and the body of prisoners willing and attentive listeners.

12. In conclusion, I beg to state that on all occasions I have observed the prisoners have been treated with kindness but firmness by their officers; and I cannot but express my thanks to the Comptroller-General for the assistance he has afforded me in the person of Mr. Wadsworth, whose acquisition to the school, library, and daily visits to the school, I ever find valuable. Nor can I for one moment be unmindful,—nay, I am more than thankful,—for the confidence reposed in me by James Boyd, Esquire, the late Superintendent, as also for his most able and ready assistance upon all occasions, up to the period of his departure for another sphere of labour, and from that gentleman subordinately to every other officer in the establishment, and further assert, that to my knowledge the slightest angry word has never passed between any inmate of the prison,—officer or convict,—and myself, and this

VAN DIEMEN'S
LAND.

harmony has proved no mean auxiliary to my work and labour of love; and permit me to assure you, Sir, that the same readiness and willingness have been manifested since you became superintendent of convict establishments, for which be pleased to accept my thanks.

I have, &c.
(Signed) J. H. SMALES,
Catechist and Schoolmaster.

J. M. May, Esquire,
Superintendent.

SCHEDULE of LECTURES delivered at the School of the Prisoners' Barracks, Hobart Town, during the Year 1853.

By Edward Blount (then Chief Monitor), on Natural Philosophy; closing the subject by a brief but able lecture on the different phases of the moon in her orbicular path round the earth; tides and eclipses, exhibiting three diagrams illustrative of the latter portion of his lecture. The whole subject was to the purpose, and well delivered to 480 prisoners. A gentleman (visitor) was present with the Superintendent.

By W. H. Thompson (Monitor A. 1.), on intellectual improvement. This was also a sound lecture, and well delivered to 336 prisoners. The Superintendent was present.

By George Arnold (Monitor), on the use of and abuse of liberty. An able lecture, and to the purpose, to 300 prisoners. The Superintendent present.

By the Rev. Messrs. Miller and Gyles and Mr. Smales, on total abstinence.—476 present.

By the Rev. Messrs. Miller and Johnstone and Mr. Smales, on total abstinence.—240 present.

By the Rev. Messrs. Miller and Johnstone, Messrs. Gyles and Smales, on total abstinence.—200 present.

By the Rev. Mr. Johnstone and Messrs. Crouch and Smales on the evils of intemperance, and the benefits arising from total abstinence.—300 present.

By Mr. Smales, Catechist; on the properties of alcoholic drinks.—315 present,

By the Rev. Messrs. Miller and Johnstone, Messrs. Crouch and Smales, on total abstinence.—320 present.

By Mr. Smales, Catechist, on total abstinence; also on solar and lunar eclipses, with diagrams on the black board.—200 present.

(Signed) J. H. SMALES,
Catechist and Schoolmaster.

SUMMARY of Educational Improvement in the School at the Prisoners' Barracks, Hobart Town, during the Year ending 1853.

DISTRIBUTION.	A Division.	B Division.	C Division.	D Division.	E Division.	F Division.	Simul- taneously.	TOTAL.	REMARKS.
Attending School on the 31st December 1852 - - - - -	32	120	68	24	1	—	—	244	
Received during the Year - - -	—	—	—	—	—	—	—	2,610	
Discharged during the year - - -	—	—	—	—	—	—	—	2,350	
Remaining on 31st December 1853 -	20	90	50	20	16	20	44	260	

J. H. SMALES, Schoolmaster.

No. 2.

REPORT of the SUPERINTENDENT of the CASCADE FACTORY.

Cascade Factory and Female Houses of Correction,
Cascades and Brickfields, Hobart Town,
January 19, 1854.

SIR,
In obedience to your instructions, I have the honour to submit my periodical report relative to the state of the establishments under my charge, noting the present condition of the several buildings, the conduct and efficiency of the officers, the behaviour of the prisoners, the discipline and system of labour in operation, together with its influence upon the conduct of the convicts, during the year ending the 31st December 1853.

*Buildings.*VAN DIEMEN'S
LAND.

1. The various buildings comprising the establishments are generally in good order and effective condition, and the improvements and alterations already noticed in my previous reports as authorized have been steadily progressing.

2. The new dormitory, which was minutely described in my last year's report, has been completed, affording accommodation for 212 prisoners, each in separate sleeping berths, and is occupied.

3. The large mess-room under this dormitory has also been completed, and when furnished with tables and the necessary utensils will provide accommodation for 400 prisoners. The completion of these rooms has dispensed with several of the small confined and inconvenient sleeping wards situated in various parts of the building, which have been pulled down, and the site presents an open and spacious yard immediately in front of the entrance gate, and which, until latterly, was subdivided into six different yards, precluding a free current of air, and rendering immediate inspection of prisoners located in this portion of the establishment impracticable.

4. The staircase leading to the church from the yards of B. and G. divisions has also been removed, and an entrance by stone steps is now being erected in front. At the extremity of this yard a room has been fitted up for the purpose of needle-work, immediately under that to which the stores have been removed. This alteration is required under the contemplated removal here of the nursery, now located at the Brickfields establishment.

5. The yard adjoining the new mess-room has been well macadamized, and the separate waterclosets are now completed at the end of the new dormitories.

6. The engine-house has also been completed, and is supplied with every necessary convenience. The separate apartments in A. division have been enclosed with a wood fence nine feet high, and are occupied by the free women under committal to the house of correction, strictly separate from each other, and apart from the convict inmates of the prison.

7. A large portion of the building has also been re-shingled or slated, and considerable improvement has been effected in the light and ventilation of the establishment generally.

8. The house intended as the residence of the Superintendent, and referred to in my last report as having been authorized, was commenced, and a small portion of the foundation laid, but has since been discontinued, arising from the change of the Superintendent's residence from this establishment to that of the Prisoners' Barracks.

Conduct and Efficiency of the subordinate Officers.

9. The officers generally at the establishments have given every satisfaction in the discharge of their various duties, many of them with a spirit of zealous application which cannot be too highly spoken of. Among the changes which have taken place may be mentioned the resignation of Mr. Senior Assistant Superintendent Mills, on the grounds of his family's ill-health, and the appointment of Mr. G. Dinham in succession. The substitution of single female officers in the place of male overseers, recently authorized, will, I anticipate, prove an advantageous change.

Behaviour of the Prisoners.

10. The conduct of the women during the past year has been as regular, obedient, and orderly as it would be justifiable to expect (the class and character of the individuals comprising the inmates of the prison considered).

11. The number of offences committed within the buildings during the year ending the 31st December 1853 has been 53 out of a prison population of 5,353, being one per cent. who have misconducted themselves in such a manner as to render it necessary to bring them for trial before the visiting magistrate; a fact which (when viewed in connexion with the strict yet not severe discipline enforced, and the preventive restraints exercised in order to stop every trifling irregularity, which is invariably noticed,) must tell favourably for the order of the establishment, and a test of the efficiency of its regulations.

12. Although in my former reports the small amount of crime committed by the convicts when under coercion in this establishment has been a leading feature in estimating the deterring character of the discipline, it is not the only proof I would introduce of the prisoners' good conduct; their general demeanor, cleanliness, and neatness in their personal appearance, orderly and attentive to their instructors, are strong symptoms of the beneficial system instituted. *Vide Appendix.*

13. The regulation for rewarding good conduct, recently authorized, has already been found of great advantage, inspiring the convicts with self-respect, and tending to improve and strengthen their habits and character generally. The amount of time credited to which they may be entitled is posted in their taskwork account, in the same manner as their labour credit is made known to them on the termination of each month.

14. The scale upon which this reward is granted is as follows, viz.,
- 2 days monthly on the completion of $\frac{1}{4}$ of her punishment.
 - 3 days monthly on the completion of $\frac{1}{2}$ of her punishment.
 - 4 days monthly on the completion of $\frac{3}{4}$ of her punishment.

15. The various descriptions of labour at which the inmates of the establishment have been employed during the past year will be found in the annexed Return marked A.

16. Task-work, upon which every convict is employed in the prison, has been so fully described in my former reports that it is scarcely necessary to advert to it, beyond observing that the principles of the system have been strictly carried out, and with satisfactory results.

17. The routine of discipline, minutely described in previous reports, continues to be strictly enforced, and is found to be as effective in its operation.

18. The improvement in the conduct of the class of convicts holding the indulgence of tickets-of-leave is another remarkable feature of the salutary influences for deterring crime, and attributable to the regulations introduced in November 1852. A gradual diminution in the number of this class received into the establishment has taken place since that period, a decrease of 25 as compared with the previous half year, and of 69 under the returns for the first year subsequent to this order, notwithstanding that the number of convicts holding this indulgence has very considerably increased.

19. The regulations subjecting female convicts to undergo a period of additional probation for the offences of absconding and absence without leave have been effectually brought into operation during the past year, a marked diminution having taken place in the number of offences of this nature. During the six months ending the 30th of June 325 women were tried and received into the factory under punishment, and during the six months ending the 31st of December 277, a decrease of nearly 15 per cent.

Demand for Convict Labour.

20. Since the arrival of the last convict ship, the "Duchess of Northumberland," from Ireland, with 208 convicts, the demand for domestic servants has very considerably increased, and so numerous are the applications for this class of labour that the whole of the pass-holders who arrived by that ship and per "Midlothian," amounting to 373, were in the course of a few hours engaged at wages varying from 9*l.* to 20*l.* per annum with rations. Since this period more than 200*l.* applications have been constantly upon the applicants' register. *Vide* Appendix.

General Observations.

21. The female convicts, with their children, together with those awaiting their confinement, located at the Brickfields establishment, have been well conducted.

22. The system of task-work (introduced as in my last report) brought to bear upon their individual cases, as nurses for one, two, three, or more children, has been found perfectly efficient. At one time it became a matter of considerable difficulty to induce women to take charge of the children of mothers who had been removed; but this obstacle is now is now completely overcome, and the cheerful and willing care now manifested is highly satisfactory.

23. The regulation of discontinuing the time award at the expiration of nine months, should the child, if healthy, not then be weaned, has also operated as a check upon the lethargy and natural indifference of the mothers as to their discharge from their children. The number now confined in this establishment is as follows, viz. 137 women and 123 children.

24. Notwithstanding the very unfavourable reports received with the women who landed in Hobart Town per "Midlothian" on the 26th of February, and the "Duchess of Northumberland" on the 28th of April, under orders of observation, their behaviour in this establishment was marked by habits of obedience and industry, and at the expiration of three weeks they were (with the exception of three per "Midlothian," against whom were recorded a few instances of irregularities,) permitted to enter private service. Two of these three were detained, under your orders, for one month on probation, when their conduct was favourably reported; the third and only remaining woman from these ships, who has not been in private service, still remains in the establishment.

25. The strength of the establishments on the 31st of December 1853 was 863; 45 free persons under committal to the House of Correction, 692 convicts under magisterial sentences or orders of probation, and 126 children (77 boys, 49 girls). *Vide* Appendix B.

26. The total number of prisoners of all classes received into the prison during the past year has been 4,667, and the discharges 4,619, making a total of 9,286 changes, exclusive of children, in the twelve months, presenting an increase of 4,776 as contrasted with the previous year. *Vide* Return C.

27. The average daily number of the sick in hospital has been 13, including eight in the lying-in-ward.

28. The mortality of the establishment during the year ending the 31st of December has been somewhat less than that of the previous 12 months. The women and children, with the exception of those in the hospital, are generally healthy.

29. The regulations of the establishment have been fully and steadily carried out; the order and regularity of the dormitories efficiently maintained; the system of public reading in the wards and dormitories during the evening, and which is also in operation during

the intervals of divine worship on the Sabbath, continues to be found of great advantage, not only as a medium for disseminating useful information amongst the convicts, but secures also an equal amount of good in the entire suppression of idle and corrupt conversation, to which prisoners in general are so prone when unemployed and congregated together.

30. Sunday occupation in the association divisions has, upon this principle, been rendered not only a day of rest from labour but of mental improvement. The prisoners, when not in attendance at the church, or in the wards with public reading, are assembled in the yards for exercise by couples, and the choir are also present engaged in the practising of sacred music.

31. A slight increase during the past year has taken place in the manufacturing department of the establishment, in the article of cloth. From this branch an extensive source of labour is provided for the inmates of the prison, by the various processes of preparing the material for the loom. In the first instance the wool is thoroughly picked and cleansed by the aged and infirm convicts, who are physically unable to undergo the more arduous toil of hard labour in the washing yard. This description of labour is also well adapted for women undergoing their primary punishment in the separate treatment division, each prisoner receiving in the morning the amount of task required for the day, which is weighed in her presence, both upon being given in and taken away, and which at once leads to the discovery of industry or idleness, furnishing at the same time the necessary information for the task-work accounts. The task required daily in this process is on the average 12 ounces. The wool, having been thus far prepared, is removed to the dye-house, and from thence to another part of the establishment, where the women are in association for the purpose of carding and spinning. In this process they are also tasked, one carder and one spinner to each wheel. The daily task to be performed in this operation by each carder is 12 ounces, and by each spinner 12 ounces. Having been spun into yarn or weft, the wool is taken from this building to the weavers' shop outside the establishment, where it is manufactured into cloth by male convicts under sentence, detached from the Prisoners' Barracks, under the supervision of an overseer. The cloth when made is then received into the building, to undergo the process of burling, and having been pressed is handed over to the Ordnance Department. The quantity of cloth manufactured, together with its estimated cost, will be found in Return D.

32. During the past year the excitement which has prevailed on the question of transportation has tended considerably to increase the interest of the public on the subject of prison discipline, and has induced a greater number of strangers, from amongst the residents of this colony and various other parts of the world, to visit and inspect the establishments, at all times open to the closest scrutiny and investigation, with full explanation of the regulations and routine in force; and from their individual testimony, as given in the accompanying extracts from the visitors' register, which are far more numerous than at any former period, there can be little doubt that the views of the colonists on this subject have undergone a very considerable change.

The following returns referred to in this report are framed as an appendix, viz'.

A. Return showing the various descriptions of labour at which the convicts have been employed during the year.

B. Return showing in detail the strength of the establishment on the 31st December 1853.

C. Return showing the number of all classes of prisoners received and discharged during the year 1853.

D. Return showing the quantity of cloth manufactured during the year, also the estimated cost per yard of this article.

I have, &c.

(Signed) J. M. MAY,
Superintendent, Convict Establishments.

Van Diemen's Land, Hobart Town, "Cascade" and "Brickfields,"
Female Houses of Correction, "January 2, 1853.

A.

RETURN showing the Number and Description of Offences committed by the Prisoners at these Establishments during the Year 1853, as compared with the Number committed during the preceding Year.

				Description of Offences committed during the Year 1852.										Class of Prisoners.					Description of Offences committed during the Year 1853.																								
				Insubordination.		Absence without Leave.		Neglect of Duty.		Disobedience of Orders.		Insolence.		Larceny under 5l.		Absconding.		Minor Breaches of Discipline.		Idleness.		Total.		Class of Prisoners.					Absence without Leave.		Disobedience of Orders.		Minor Breaches of Discipline.		Total.								
				Free under Sentence.		Ticket-of-Leave under Sentence.		Passholders eligible for Hire.		Passholders under Sentence.		Total.														Free under Sentence.		Ticket-of-Leave under Sentence.		Passholders eligible for Hire.		Passholders under Sentence.		Total.				Strength on the 31st Dec. 1852		Received during the year 1853		Total number of prisoners borne on the strength of the establishment during the year 1852 -	
				37	64	98	371	570																			13	47	7	619	612												
				279	287	475	1,282	2,323																			316	262	2,183	1,906	4,667												
				316	351	573	1,653	2,893																			329	309	2,190	2,525	5,353												

Summary for the Year ending 31st December 1852.		
Total Number of Prisoners on the Strength of the Establishment for the Year ending 31st December 1852.	Number of Offences committed.	Per-centage of Offence.
2,893	103	3 ⁵ / ₁₆

Summary for the Year ending 31st December 1853.		
Total Number of Prisoners on the Strength of the Establishment for the Year ending 31st December 1853.	Number of Offences committed.	Per-centage of Offence.
5,353	53	1

J. M. MAY, Superintendent.

B.

Van Diemen's Land, Hobart Town,
Female Houses of Correction, "Cascade" and "Brickfields,"
January 2, 1854.

RETURN showing the various Descriptions of Labour at which the Prisoners have been employed during the Year ending 31st December 1853, with the Number employed at each Class of Labour on that Day, also the average Rates of Credit awarded under the Task Work System during this Period.

31st.	December 1853.	Effective Labour.														Barrack Duties.								Miscellaneous.						REMARKS.							
		Washing.	Mangling.	Ironing.	Repairing Clothing.	Picking Wool.	Spinning.	Carding.	Reeling.	Burling.	Needle-work.	Knitting.	Picking Oakham.	Picking Rope.	Picking Hair.	Repairing Hammocks.	Miscellaneous Labour.	Total.	Hospital Attendants.	Servants.	Watch Women.	Nursing Children.	Cooks.	Cleaning Yards.	Store Women.	Mess-room Cleaners.	Wards Women.	Total.	Discharged.		Remanded.	Solitary Confinement.	Sick in Hospital.	Exempt.	Total.	Children.	Grand Total.
		160	7	10	18	48	50	4	4	4	100	50	20	—	28	—	—	503	2	17	31	81	8	17	8	11	15	190	—	3	14	20	7	44	126	863	

Average Rates of Credit at the several Descriptions of Labour.

	Washing.			Needle Work.			Manufacturing Purposes.				Miscellaneous.			General Daily Average.	
	Highest Rate.	Lowest Rate.	General Average.	Highest Rate.	Lowest Rate.	General Average.	Highest Rate.	Lowest Rate.	General Average.		Highest Rate.	Lowest Rate.	General Average.	Daily.	Daily.
	Daily.	Daily.	Daily.	Daily.	Daily.	Daily.	Daily.	Daily.	Daily.		Daily.	Daily.	Daily.		
	$\frac{1}{10}$	$\frac{1}{8}$	$\frac{2}{8}$	$\frac{1}{8}$	$\frac{1}{12}$	$\frac{5}{16}$	$\frac{9}{8}$	$\frac{1}{12}$	$\frac{2}{8}$	$\frac{2}{8}$	$\frac{2}{8}$	$\frac{1}{8}$	$\frac{1}{8}$	$2\frac{1}{16}$	$2\frac{1}{16}$

J. M. MAX, Superintendent.
VAN DIEMEN'S LAND.

D.

Van Diemen's Land, Hobart Town,
Female Houses of Correction, "Cascade" and "Brickfields,"
January 2, 1854.

RETURN showing the Number of the various Classes of Convicts and Free Persons received and discharged at these Establishments during the Year ending 31st December 1853.

Free.		Free, who have been Convicts.		Convicts.				Children.				Total Number of Women.		Grand Total of Changes during the Year.
				Ticket-of- Leave.		Passholders.		Born, and received with Mothers.		Died, and discharged to Q.O. School or Parents.				
Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Born.	Received.	Discharged.	Died.	Received.	Discharged.	
38	36	278	249	262	260	4,089	4,074	91	73	38	93	4,667	4,619	9,286

(Signed) J. M. MAY, Superintendent.

E.

Van Diemen's Land, Hobart Town,
Female Houses of Correction, "Cascade" and "Brickfields,"
January 2, 1854.

RETURN of Cloth manufactured at the Female Factory, "Cascade," during the Year ending 31st December 1853, showing also the Cost Value per Yard.

Description	Number of Yards.	Estimated Cost per Yard.	Amount.	Remarks.
Fine tweed, various patterns, 2 yards wide - - - }	2,594	s. d. 6 6	£ s. d. 843 1 0	

(Signed) J. M. MAY, Superintendent.

F.

Van Diemen's Land, Hobart Town,
Female House of Correction, "Cascade,"
January 2, 1854.

RETURN showing the Number of Convicts hired into private Service, during the Year ending 31st December 1853, and the daily average Number of each eligible for hire during that Period.

Passholders.	
Hired.	Daily average Number eligible for Hire.
2,925	8.5.5

(Signed) J. M. MAY, Superintendent.

1. January 7.
We have to-day been over the Female Factory, and highly pleased with the order and regularity observed, and much interested in the system adopted.
(Signed) ROBERT LINDSEY.
FREDERICK MACKIE.
2. January 7.
We cordially agree with the foregoing remarks.
(Signed) JNO. B. HODSON, South Australia.
GEO. H. GIBSON, South Australia.
3. January 8.
Having been permitted to visit this establishment, I was this day shown over it by the Superintendent, and express myself highly gratified with the extreme cleanliness and order which prevail, and the admirable discipline under which the females are so usefully employed.
(Signed) REDMOND BARRY.
Judge of the Supreme Court of Victoria.
4. January 15.
We were greatly pleased with the great cleanliness and good order of this establishment, which we were permitted to go over.
(Signed) EDWARD ROBINSON.
R. A. BLENCOWE.
5. January 15.
I have been much struck with the effective mode in which the discipline of the establishment appears to be carried out in every respect.
(Signed) LEWIS HOGG.
6. January 15.
We have been much pleased with the very great cleanliness and good order of this establishment.
(Signed) A. W. MACPHERSON.
JAMES HALL.
PETER LANE.
E. HATHAWAY.
7. February 4.
I have inspected with much interest this establishment, and have to express my great satisfaction with the management, discipline, and cleanliness enforced by the Superintendent to whom I have also to express my sense of his attention and courtesy in my visit.
(Signed) ROBERT W. POHLMAN,
Chairman of General Sessions, Victoria.
8. February 4.
I quite concur in the above, and think the establishment admirably conducted.
(Signed) JNO. PALMER.
9. February 4.
Much pleased with the excellent management of the whole establishment.
(Signed) THOMAS LLOYD.
10. February 4.
Fully agree with the remarks of Mr. Lloyd.
(Signed) JAMES GILL.
11. February 19.
Mrs. Hawkins and myself have been much gratified with the cleanliness and discipline maintained in this establishment.
(Signed) J. G. HAWKINS,
Captain Royal Engineers.
12. February 21.
I have not seen at any of the Dublin model prisons anything to equal the discipline and perfect cleanliness of this prison. It cannot be equalled.
(Signed) G. MOLLOY, P.R.I., H.M.C. Service,
per "Lord Auckland."
13. February 28.
The whole of this establishment surpasses all expectation to the visitor. Every department is in every respect deserving of praise.
(Signed) J. R. BATEMAN, J.P.
M. PITT.
S. BATEMAN.
A. STEPHENS.

14. March 7.
I have this day inspected the female penitentiary, and been much gratified in observing the extreme cleanliness and order everywhere apparent, reflecting great credit upon the officer in charge. I was particularly struck with the healthy appearance of the inmates. And the various classification of the females, and general arrangement of employment, appear to me admirably adapted to effect the end proposed,—the reformation of those placed within the walls of this establishment.
(Signed) FRANCIS COTTON, J.P., Great Swanport.
15. March 16.
I have this day gone over the establishment, and cannot leave without expressing the pleasure the whole arrangements have given me.
(Signed) JAMES BIDDELL.
16. March 19.
Having visited the Cascade female prison, I feel great pleasure in recording my opinion respecting the general good order and discipline.
(Signed) J. C. RAINER, U.S. America.
17. March 28.
I have this day been shown over the female factory at the Cascade, and am much pleased in bearing testimony to the healthy and cleanly appearance of the establishment, which is superior to any I have visited in Europe or elsewhere.
(Signed) WM. MIDDLESHIP.
18. March 28.
Having gone over this establishment, we cannot but express our opinion that it is impossible that any penitentiary can be more cleanly and in better order, and the women appear to be in a state of perfect discipline.
(Signed) F. A. POWLETT,
Colonial Treasurer, Victoria.
E. GRIMES,
Immigration Agent, Victoria.
19. March 29.
We have much pleasure in bearing testimony to the general cleanliness and discipline existing in the female factory which we have this day inspected.
(Signed) JAMES TODMAN, M.D.
H.M.C.C. Service.
ARTHUR WELLESLEY CRITCHLEY.
JOHN FINLAY.
A. E. TOSTALL.
20. March 31.
I feel very great pleasure in bearing my testimony to the very great cleanliness, discipline, and usefulness of this establishment. It reflects very great credit on the Superintendent, and will, I am sure, prove productive of much good to the free as well as the bond.
(Signed) E. P. DURHAM,
Chaplain to the Colonial Hospital.
21. April 9.
I have visited this day the whole of this establishment, and have been much pleased with the cleanliness, order, industry, and quiet which I observed in every department of it. It reflects great credit on its Superintendent.
(Signed) P. FRASER, Colonial Treasurer.
22. April 13.
I have been much gratified in visiting this establishment this morning, and can bear testimony to the good order and cleanliness which is observed throughout. The system adopted in the employment of the prisoners is admirable, and reflects very great credit on the Superintendent, Mr. May.
(Signed) W. T. D. TRACEY.
23.
It is some three or four years since I last visited this establishment, and I have had great pleasure in rendering my sense of the very superior management of the same, of the great order, comfort, and cleanliness observable in every part of the extensive building, as contrasted with my recollections of the same on my last visit.
(Signed) JOHN ABBOTT, J.P.
24. April 21.
We have this day visited this establishment, and the arrangements appear to be in all respects complete.
(Signed) J. DAVIDSON, M.D., R.N.
D. T. LOMAS, M.D., R.N.

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25.

I have much pleasure in bearing testimony to the order, cleanliness, and general efficiency of the Cascade factory, as a place of reformatory punishment. In its classification, distribution of labour, and mode of correction, it appears to have attained the object for which it is appropriated. In doing so it reflects great credit upon those who have brought it to its present degree of perfection, that since the colony has been a penal settlement the management of the women has been considered the principal difficulty. I can at least speak from 18 years' experience, and the information of the various Superintendents during that period. The order, quietude, industry, and regular and obedient habits of the inmates are a proof that what was considered impracticable has been achieved and not only must the system be a good one, but the officers entrusted with carrying it out must be active, intelligent, and zealous. Having visited the female penitentiaries in most of the chief cities of Europe, I have no hesitation in saying that, as far as a visitor can judge by going carefully through the establishment, in few of them is the object of punishment apparently better attained.

(Signed) BENJAMIN O'NEIL WILSON.

26.

June 18.

We have much pleasure in recording our favourable testimony to the extreme cleanliness and order observed in all the arrangements prevailing at the Cascade factory, which we have this day visited.

(Signed) G. GOSLLING, M.C.S.
RICHD. T. S. COKE, Captn. 40th Regt.
G. BENSLEY BUCKLE, 40th Regt.

27.

July 8.

We have very great pleasure in recording our testimony to the extreme neatness and cleanliness in all the apartments, and the courtesy we experienced in visiting the factory.

(Signed) JOHN CORTLEY.
H. CHARLES STEWART.
MISS TILL.

28.

July 25.

I have to-day visited this establishment, and have much pleasure in saying the arrangements are complete, and everything in the most efficient state.

(Signed) T. LAMERICKE, Surgeon, R.N.

29.

July 28.

Having this day visited the female house of correction at the Cascade, and minutely inspected the dormitories, cook-houses, mess-rooms, cells, and working-rooms, have much pleasure in recording the gratification I derived from observing the extreme cleanliness, regularity, and order prevailing through the whole establishment generally; the efficiency of the system of discipline established by the Comptroller General; as well as evincing the great judgment with which their relative duties are performed by the Superintendent, Mr. May, and the matron, Miss M'Culloch.

(Signed) H. G. J. DAY, J.P.
Captain 99th Regiment.

30.

We have this day, through, the courtesy of the Superintendent, been shown the whole of this establishment, and can see no part of the arrangements in which we could suggest any improvement. The beautiful order and the cleanliness which prevails is particularly deserving of notice and commendation,

(Signed) J. E. DONLEVY, M. D.,
Trin. Coll., Dublin.
GEORGE W. DAMBELL.
Trin. Coll., Camb.

31.

August 17.

It is several years since I visited this establishment, and the great changes made since that time, for all the purposes of punishment and useful improvement in the habits of the female prisoners, are to me most marked, and in my opinion most admirable. As an old police magistrate, and being at present nearly the senior coroner of the colony, in the inspection made this morning, the difference between the present and former systems is gratifying; and of this, as on a recent visit to the Prisoners' Barracks in Campbell-street, I am pleased at having this opportunity, by the attention of the Superintendent, of placing it on record.

(Signed) J. MORGAN.

32.

August 18.

I visited this building, and went over it with the Superintendent, who very kindly entered into all the minutiae, explaining as we passed along. I was much gratified and interested in the very orderly and systematic manner everything is conducted.

(Signed) J. B. MATHER.

33. September 6.
In visiting this establishment we have sincere pleasure in recording the gratification we have experienced at witnessing the order, discipline, and cleanliness observable throughout.
(Signed) GEO. TINLINE.
MRS. TINLINE.
34. September 9.
Having visited this establishment, we have much pleasure in recording our gratification at witnessing the good order and cleanliness which reigns throughout.
(Signed) ALFRED J. EYRE, P.M.,
Ballarat, Victoria.
A. INNES.
35. September 26.
I have this day had the pleasure of visiting the Cascade factory, and feel bound to acknowledge the good order and cleanliness and apparent excellent discipline maintained in the establishment. My best thanks are due to the officers of the same for the courtesy they have shown.
(Signed) CHARLES TERRET.
36. September 26.
I had much pleasure in going round this establishment to-day, and willingly testify my opinion that everything seems to be conducted in the best possible manner.
(Signed) ALEXANDER CLERKE, M.L.C.
37.
I felt much pleasure in visiting this establishment, and have taken several hints for the government of our female prisoners in the gaol at Adelaide, South Australia.
(Signed) CHAS. B. NEWENHAM.
Sheriff of Prisons of South Australia.
38. October 17.
We feel much pleasure in testifying to the neatness prevailing through this establishment generally. The discipline exercised we feel confident could not be surpassed.
(Signed) GEO. SHAW.
R. STEPHENSON.
W. SHARROCKS.
39.
It gives me much pleasure to state that we find the establishment kept so neat and clean, and the several officers so faithful in the discharge of their several duties.
(Signed) ROBERT McLEAN, Presbyterian Minister.
P. CAMPBELL, Presbyterian Minister.
GEORGE KISSOCK.
40.
Having inspected the factory, we are much pleased to see the order and extreme cleanliness, and think it very effective in redeeming by good example, which is a credit to the officers in charge.
(Signed) C. B. DONALDSON, Adelaide.
F. T. MANN, Melbourne.
41.
I have much pleasure in expressing my unlimited approbation of the manner in which the factory is maintained, and my gratification in being allowed to inspect it.
(Signed) J. W. WILLIAMS, London.
42.
It gives me much satisfaction to state the interior economy of the factory, as regards cleanliness. No prison in England or the continent of Europe is to be compared to it. Great credit is due to the officers of the establishment.
(Signed) S. VAN MEPELT, London.
43.
I have much pleasure in finding everything conducted in such perfect cleanliness and order.
(Signed) J. WILSON.
P. Mc DONALD.
44.
We have visited with much pleasure this extensive establishment for the coercion and restraint of female prisoners, which appears in all its qualities, whether for instruction, discipline, or cleanliness, not to be excelled by any other system we have had the opportunity of witnessing; nor can we leave without thanking the officers for their politeness, and the ready courtesy with which we were received, and each branch of the department explained.
(Signed) Mr. and Mrs. JAMES STARK.
45. December 26.
I have this day visited this establishment, and have been much pleased to observe the complete order and cleanliness in which everything is kept, and the perfect discipline in which the whole is conducted.
(Signed) WALTER BROWN, M.D.

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46.

We have much pleasure in testifying to the good order, cleanliness, and regularity throughout this establishment.

(Signed) W. S. SOUTHWOOD.
Mr. and Mrs. TOPHAM.

47.

December 31.

We have been much gratified in visiting this establishment, and have much pleasure in bearing testimony to the great cleanliness, good order, and discipline prevailing.

(Signed) WM. S. MARRY, Melbourne.
J. MONTAGUE.
CRAWFORD NAIRNE, Melbourne.

(A true extract.)

J. M. MAY, Superintendent.

No. 3.

REPORT of the CIVIL COMMANDANT and SUPERINTENDENT, PORT ARTHUR.

Penal Settlement, Port Arthur, Van Diemen's Land,
January 19, 1854.

SIR,

1. In compliance with your instructions, I have the honour to submit the following report on the present state of the penal settlement at Port Arthur, and in doing so beg to remark, that, having only been in charge of the establishment since the first of November last, my personal acquaintance with the settlement generally, the various outposts over which my jurisdiction extends, and many other particulars bearing upon the course of discipline in force, can only as yet be very limited a circumstance which consequently precludes me on the present occasion from noticing much of the minutiae of the place that hereafter I may be able to bring under your review.

General Description.

2. The penal settlement at Port Arthur is situated in the southern part of Tasman's Peninsula, and is distant from Hobart Town forty-eight miles by Cape Raoul, and by Norfolk Bay fifty-three miles.

3. The usual route of communication between Hobart Town and the settlement, after leaving the Derwent, is by Norfolk Bay, which extends along the northern side of Tasman's Peninsula, thence across the neck of land which divides Norfolk Bay from Long Bay, near the mouth of which the establishment stands. A government steam-boat plies weekly between Hobart Town and the head of Norfolk Bay, and passengers, with their luggage, stores, &c., arriving by that vessel, are conveyed to Long Bay, a distance of about five miles by railway, between the end of which and Port Arthur boats complete the means of transport.

4. Vessels allowed to touch at this settlement on the public service approach the harbour from the Storm Bay side of the peninsula. The only vessels which have visited Port Arthur during the last twelve months. I find to have been the "Calliope" sloop of war, the Government barque "Lady Franklin," and some small coasting crafts with convict stores. Private boats or vessels are not permitted by Act of Council to approach within three miles of the shore.

5. The annexed sketch shows the peculiarly secure geographical position of Tasman's Peninsula, constituting it in point of fact a strong natural prison. Eagle Hawk Neck, connecting Tasman's with Forestier's Peninsula, may be regarded as the inner gate, whilst East Bay Neck, which unites Forestier's Peninsula to the main land, presents a formidable outer barrier. At Eagle Hawk Neck, which is only seventy-eight yards across, a military guard is stationed, and double sentinels are posted by day and night to prevent the ingress or egress of all unauthorized persons. Vide Appendix A.

6. A line of eighteen dogs also extends across the narrow isthmus, who, being constantly kept separate, are most ferocious, presenting on the approach of any stranger as vigilant a body of sentinels as it is possible to imagine; many of them have not been off the chain for years, and are consequently very savage.

7. Along the banks of the narrow strait which separates the two peninsulas detachments of armed constables are stationed at intervals, who being well rewarded for the apprehension of runaways, they are ever on the alert to prevent the convicts from swimming across.

8. Notwithstanding that this portion of the bay is so well guarded, and that it swarms with sharks, some desperate instances of attempting to cross over are upon record. The following copy of evidence taken in a case of this nature shows the reckless daring of some men in endeavouring to effect their escape at this place.

George Birchall saith:—"I am a sworn constable attached to the convict department on Tasman's Peninsula. About 12 o'clock on the night of the third instant I was on duty between Luck's Point and Stoney Point, Old Line.* Soon after 12 o'clock I went

* The line of constables on Tasman's Peninsula.

"to call the acting constable at Stoney Point to relieve me. At the same time I heard a noise in the water close by Stoney Point. I immediately proceeded to the spot from whence the noise proceeded, accompanied by constable Duffy. I saw four of the prisoners now present. Some of them called out "Good constable, call your dog back, and we will come out." I replied, if they did not come out I would blow a ball into them, upon which they returned to the beach. There was another man, who is also one of the prisoners now present. He dived under the water, and proceeded across to the other side. I called out to constable Deagan, who belonged to No. 2. Hut on the New Line* to make haste down to the point, as one of the absconders was coming over. He did so, and shortly afterwards called out to me that he had got him. That prisoner was Cronin." The whole of the prisoners were naked when apprehended. Their clothing was found about the beach in the afternoon of the same day."

9. Small parties of constables are also placed along the coast of Tasman's Peninsula, to cut off any attempt at forming canoes in the bays which exist. Fourteen miles further on towards the main land is situated the outer entrance, or East Bay Neck, the width of which is about 400 yards. Here a strong guard of vigilant armed constables is likewise stationed, to secure the recapture of any absconders who may have been successful in getting off Tasman's Peninsula. The following case which recently occurred indicates the necessity for guarding this place, and the almost impossibility of convicts escaping from Forestier's Peninsula.

Alexander Rogers.—"I am a ticket-of-leave holder belonging to the Sorell police, and am stationed at Lower Ferry, Pitwater. In consequence of information which I received, I proceeded to East Bay Neck on Wednesday afternoon the fourth instant, after the absconders from Port Arthur. I went on duty just about dusk in the evening to relieve a constable named Gibson, at the neck; and when I and constable Martin, who accompanied me, had got within about twenty yards of Gibson, he beckoned to me with his hand. I then heard him challenge some one, and I saw the prisoner Bourne get up, and run away from the fence, near the neck, behind which he appeared to have been lying. I pursued after him, and in getting over the fence I lost sight of him in the scrub. I remained there searching for him a short time, and constable Martin came to me, and said, I had better come back, as it was probable the prisoner might come back towards the neck. About an hour or a little more after that I had occasion to go to the constables' hut for a drink, when I heard constable Osborne challenge some one. I immediately ran down, and saw that it was the prisoner Bourne, upon whom I rushed, and put the handcuffs upon him. He did not make any resistance at all. I had no watch to know the time, but I think it was about 11 o'clock when Bourne was apprehended. Bourne was the last man who was apprehended, and I and the other constables escorted them to Sorell. We started for Port Arthur about 5 o'clock yesterday morning, and the prisoners went on very well until we came to the constables' hut at the Lower Ferry, into which we took them, to give them some refreshment. When tea was over, the prisoner Bourne asked constable Martin to tie the bag containing the rations a little longer, as he said it would be easier to carry. He then asked for a drink of water. Constable Grant told him to drink the cold tea he had left. Bourne then made a dart at Martin's piece, and caught hold of it. Constable Martin at the same time seized hold of the piece, and while this was going on one of the prisoners named Fletcher seized a piece which was hanging over the mantel piece, and presented it at constable Martin. Another constable named Shenan at this drew out a brace of pistols, and presented them at Fletcher, at which he dropped the musket. Whilst this was going on, the prisoner Bourne and constable Martin were wrestling for the piece, and I presented my piece at Bourne, and said if he did not desist I would blow his brains out, at which he said "he saw he was done," and that he would give in."

Constable Martin saith:—"I was on duty at East Bay Neck on Wednesday night, and relieved constable Gibson, and on getting within a short distance of him I observed him beckon with his hand, and he said at the same time "Here they are," I presented my piece at Gault, and at the same time threw him a pair of handcuffs, which I ordered him to put on. He refused to do so; at which I called on constable Gibson to take my musket. I then jumped across the fence and handcuffed him, and gave him in charge of constable Gibson. About three quarters of an hour after the apprehension of Gault I proceeded to the Port Arthur side of East Bay Neck, and being low tide I went along the beach, thinking the other two prisoners might attempt to cross the neck by the water. I returned towards the neck, and when within about 60 yards of the railroad I saw Fletcher and McDonald going in the direction of Pittwater. I challenged them; and Fletcher said that they were constables from Port Arthur. I ordered them to turn about, and go to the hut. McDonald fell down on his hands and face. At this time constable Galer jumped up from behind the fence, and he assisted me in marching the two prisoners to the hut. They made no resistance; but Fletcher said that if he had got my musket it would not be me who would march him to the hut. When we got them to the hut we secured them, and on the following morning we proceeded to Sorell, as has been stated by constable Rogers."

* The line of constables on Forestier's Peninsula.

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10. As a further safeguard, a chain of signal stations extends over Tasman's Peninsula, and enables the constables posted along the coast and at the necks to obtain the earliest information of convicts having absconded from Port Arthur, or from the other penal stations on the coast of Norfolk Bay, viz., the Cascades, Impression Bay, and Salt Water River. Under such precautionary measures, escape to the main land is rarely accomplished. Still there are many restless characters who are constantly contriving schemes to effect this object; but, considering the very comprehensive system of penal discipline carried out on this peninsula, it is a matter of surprise to myself that so few runaways succeed in getting clear off. There has been no case of actual escape for several months past.

Buildings.

11. The various buildings composing the establishment are not arranged in any regular form, with the exception of the new separate prison, which I shall notice hereafter; the other erections being chiefly old, badly arranged, and built of wood, particularly those in which the convicts are accommodated. (*Vide* block plan of settlement appended, B.)

12. The church, some of the officers' quarters, the hospital, military barracks, and a very extensive store, which is not now required, are, however, substantial buildings, being of stone or brick, and will last for many years to come.

13. The penitentiary comprises one large dormitory containing 192 men, and six other dormitories, accommodating together 224 men, 138 cells, mess-rooms capable of containing 622 men, an extensive school-room, also used for the performance of divine service on week days, a temporary Roman Catholic chapel, &c. &c. All these are old wooden buildings, and are ill adapted for the confinement of convicts, especially of the bad class now here.

14. The dormitories are provided with separate berths, which are formed by double rows of wooden rails arranged horizontally, so as to admit of the free circulation of air, at the same time precluding the possibility of any communication taking place between the prisoners, being in fact according to the general method of constructing convicts bed-places throughout the colony, as introduced within the last seven years. Lights are kept constantly burning in the dormitories at night; whilst due watching and ventilation are also provided for.

15. The alterations and improvements effected in the buildings since I took charge of the settlement are as follows; viz., completing the Roman Catholic chapel, which contains 250 prisoners, with vestry, &c.; the re-arrangement and improving of the school-room, which is now lighted with solar lamps, as will shortly be the greater portion if not the whole of the other buildings, the common tin lamps hitherto used being dirty, smoky, and deficient in light.

16. The building opposite to the penitentiary gate known as the "Clothing Store" has been converted into a barrack for the constabulary, containing an excellent dormitory for the accommodation of twenty-eight constables, with mess-room and kitchen attached. At the inner extremity of the dormitory a secure and convenient armoury has been fitted up, so that the constables' arms will not at any time be accessible for improper purposes. The old military barracks have been vacated by the soldiers, and appropriated for the accommodation of sub-constables, and paid convict mechanics, &c.

17. In carrying out this arrangement it has been necessary to erect in the square of the new military barracks a cook-house, washing-house, and store. These are good buildings, and are now ready for occupation.

18. Two double cottages, each to contain two families, have been ordered to be erected in front of the old military barracks. The first of these cottages has been commenced, and is now progressing with as much dispatch as possible. It will be a good brick building, and afford suitable accommodation for two married officers.

18. The principal work in the building department at present contemplated is the conversion of the large useless store before mentioned into a prison, which will supersede the present insecure penitentiary. This extensive building is 230 feet long, 38½ feet wide, and four stories high, being, it is believed, the largest edifice in the colony. It formerly contained the various offices, including those of the commissariat department, tread and water wheels, flour mills, and the general stores.

19. The plans for the conversion of this building provide for two stories of cells in the lower part, the cells being arranged in a double row, or end to end, with their fronts facing the external walls of the prison. A light gallery will extend along the front of the upper story of cells, and will be so constructed as to admit of a railway carriage being used for supplying the prisoners' meals. The cells will be furnished with trap doors, inspection apertures, &c., upon the same principle as those at Pentonville Prison. An open corridor on each side, extending from the ground floor to that immediately over the upper story of cells, will be formed. Above the cells a spacious mess-room will be fitted up, and made available for school purposes, as also for the performance of divine service on week days. Beyond the mess-room, apartments for the officers on duty, quarters for the constables, scullery, &c. &c., will be placed. The farther extremity of this floor will be formed into a Roman Catholic chapel. In the upper story of the building there will be an extensive and well-ventilated dormitory, the berths of which will be properly separated, and every convenience provided for the use of the convicts. Immediately in rear of the prison, kitchens, bakery, bath-room, washhouse, and clothing stores will be erected. Such is an outline of the new prison now being prepared at this settlement. When finished it will form

an extensive, very commodious, and effective establishment, capable of accommodating 144 prisoners in cells and 513 in dormitories, making a total of 657 inmates.

20. The separate prison, which was commenced in 1848 and opened in 1849, is built of hewn stone throughout, and is a most substantial and well-finished building. It is constructed on the radiating principle, having three wings of cells and a chapel, which forms the fourth wing, with a spacious central hall. The corridors are well lighted at night by solar lamps. The wings A. B. and C. contain respectively 16, 18, and 16 cells, which are upon the Pentonville model. There are also two strongly constructed cells for the confinement of refractory prisoners; and as many of the cells can be darkened as may be found necessary. C. wing has been recently extended, and 20 cells added to it, which will be shortly ready for occupation. These additional cells it is intended to devote to solitary confinement purposes, as they are situated in a quiet and remote part of the prison. *Vide* appended plans C. D. E. and F.

21. With a view to the further enlargement of the separate prison, it is contemplated to add another story to the whole, except the recent extension of C. wing. This will double the number of cells, and render the prison a most perfect place of confinement; much more so, I believe, than anything of the kind in this hemisphere.

Conduct and Efficiency of the subordinate Officers.

22. With a few exceptions, the subordinate officers' conduct has been to my satisfaction. They have shewn themselves generally to be a very respectable and efficient body.

Behaviour of the Convicts.

23. The Appendix, Return G., shows the number of convicts who have been brought before magistrates during the past twelve months, and the offences, arranged under distinct heads, for which they have been punished. Although the number of offences here shown is undoubtedly large, still, when the very hardened and desperate character of the generality of the convicts now at Port Arthur is considered, a greater amount of crime might reasonably have been expected.

24. It must be a matter of much gratification to reflect, that such a population has been controlled without the exhibition of any corporal coercion, no case of which I find by the records has occurred here during the last five years and upwards; and not only has this degrading punishment been discontinued with perfect safety to the discipline of the establishment, but there is every reason to believe that the substitution of solitary and separate confinement, with other minor modes of correction, have proved of the most vital importance to the future and permanent reformation of many who have previously been amongst the most hardened.

25. The extension of such reformatory means and appliances is therefore a matter to be earnestly desired; and I rejoice that the enlargement of the separate prison, with the erection of the block of cells in the new prison, are matters which have received the sanction of the Government.

Labour of the Convicts.

26. The whole of the convicts, except those confined in the separate prison, are worked on the task system, under the operation of which industry and good conduct are actively stimulated and encouraged. The various descriptions of labour carried on are detailed in the Appendix, Return H., from which it will be observed that every species of employment in force at this settlement is of such a practical nature as to render the convicts useful workmen in these colonies when they shall hereafter be liberated and restored to freedom.

27. Many of the mechanics now under detention here could, if working for private employers, obtain from ten to fifteen shillings per diem, and some considerably more; whilst the generality of the labourers and other unskilled workmen would in like manner receive from twelve to thirty pounds per annum, with board and lodging. It will therefore be seen that every man has the strongest incentives to conduct himself satisfactorily, in order to hasten his emancipation, and to enable him to participate in those high rates of wages and other great advantages now so common in the Australian colonies, and in which growing communities the man's former penal condition may not only be effectually concealed, but, if he be only steady and industrious, there is every reason to know that he will soon attain a respectable position in society.

General Observations on the Treatment and Discipline of the Convicts.

28. The routine of discipline established for the convict service in Van Diemen's Land generally has been frequently detailed in my former reports whilst Superintendent of the Prisoners' Barracks at Hobart Town, and which, having been published, it may not now be necessary to repeat, inasmuch as in its main features and principles the system carried out at the several stations is uniform. It may, however, be desirable to refer to the order in which the convicts pass through the various stages of discipline adopted for their punishment and reclamation at this establishment.

29. The worst class of criminals, on arriving at the settlement, are placed under strict treatment in the separate prison for periods varying from four to twelve months, according

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to the nature of their crimes and the disposition they evince, during their confinement. Under this form of discipline the most violent and refractory are effectually subdued, and their minds brought into a more healthy condition.

30. The second stage is the quarry gang, in which the convicts wear heavy irons, and are employed on the severest description of labour. Whilst in the quarry gang the convicts are confined in cells at night, and during the day are carefully watched, to prevent any attempt to escape, the whole of the men in this gang being under very heavy sentences, and the greater portion desperate characters, having been for many years inmates of gaols in Britain, and for their continued incorrigible conduct are now undergoing penal servitude here. The usual period to be passed in this gang is six months; but ill-conducted men are detained until they give sufficient evidence of their improvement.

31. The third stage is, light chains in the wharf gang, in which the labour is somewhat less severe than in the quarry gang, and the men are allowed to sleep in the dormitories. The usual period passed in this stage is also six months, with good conduct.

32. The fourth stage is ordinary labour and association, from which the convicts emerge to the dépôt eligible for private services on wages.

33. The two first stages are much dreaded by the prisoners, and are therefore reserved for the worst characters.

Separate Prison Discipline.

34. The convicts confined in the separate prison wear grey clothing marked with letters S. P. (separate prison); have large peaks to their caps for concealing their features, and brass badges, upon which are inscribed the letter of division and number of cell which they respectively occupy. This badge is attached to the left breast of the jacket, is always worn whenever the prisoner is out of his cell, and during the convict's stay in the prison forms the designation by which he is upon all occasions referred to by his officers.

35. Each cell is provided with a signal tablet and bell, hammock and bedding, books, table, seat, light, mess utensils, towels, &c.

36. The prisoners rise in the summer months at five o'clock, clean their cells, and such of them as are not deprived of work commence their employment, which is chiefly tailoring. After breakfast the prisoners are exercised, and four times a week attend divine service in the prison chapel. They are frequently visited in their cells by their respective chaplains, the medical officer, myself, and the officer in charge. Their meals are issued three times a day, the ordinary daily ration being, breakfast, bread, $\frac{3}{4}$ lb.; gruel, 1 pint;—dinner, meat, before being cooked, $\frac{3}{4}$ lb.; vegetables, $\frac{3}{4}$ lb.; bread, $\frac{1}{2}$ lb.; soup, 1 pint;—supper, the same as breakfast. The non-effective ration is half of the above, and the punishment diet one pound of bread, and water. The prisoners receive their breakfast at 8 o'clock, dinner at 12, and supper at $\frac{1}{2}$ past 5. They read during the evening, and at $\frac{1}{2}$ past 8 o'clock retire to rest.

37. Upon all occasions the most rigid silence is observed, not only by the prisoners but by the officers, who, in the performance of their duties, invariably communicate with each other by signs. The prisoners are exercised in separate yards for one hour daily, the greatest care being taken, when they are moving to and from the chapel or the exercise yards, that not more than one man is at any time unsecured.

38. The chapel is constructed on precisely the same principle as that at Pentonville Prison. It contains fifty separate stalls, and is furnished with a telegraph for indicating to the prisoners the order in which they are to move out.

39. In each cell a copy of the regulations for prisoners, as annexed hereto, is suspended, and which are read to every man on arrival.

43. The ordinary periods of confinement range from four to twelve months; and from my observations when visiting the prison, as well as from the information obtained from the prison register, I have every reason to believe that a lengthened period, say from eight to twelve months, produces a powerful effect in changing the evil tendencies of the convicts' minds, and in inducing such an amelioration of character as must ultimately lead to a thorough practical reformation. There are of course exceptions to these desirable results, but my conscientious conviction is, that the generality of the convicts do derive the greatest advantage from the discipline of the separate prison.

Conclusion.

41. In concluding this report, I am sensible that from the extensive character of the penal settlement at Port Arthur a greater variety of facts bearing upon the administration of the system in force, its effects on the conduct of the convicts, and, so far as can be ascertained, their behaviour after leaving this establishment, would have been desirable but, as I have already stated, my experience here having only embraced the short period of little more than two months, it has been impossible for me to accomplish this at present.

42. I am fully impressed with the deep responsibility devolving upon me, in the management of the serious charge committed to my hands, and trust that in future reports I shall be able to show that the efficiency of this important institution has been established to the satisfaction of Her Majesty's Government.

I have, &c.

(Signed) J. BOYD,
Civil Commandant.

The following annexed Plans, Returns, Copy of Rules, &c. are furnished
as an Appendix.

- A.—Chart of Tasman's and Forestier's Peninsulas.*
 - B.—Block plan of settlement.*
 - C.—Ground plan and front elevation of separate prison.*
 - D.—Plan and section of a cell.*
 - E.—Perspective views of central hall and one corridor.*
 - F.—Perspective view of part of wing A.*
 - G.—Return of offences and punishments.
 - H.—Return of labour at which the convicts have been employed.
 - Copy of "Rules for prisoners," Separate Prison.
 - Extract from visitors' register.
-

J. BORD, Civil Commandant.

* These bulky charts and plans are omitted.

G.

RETURN showing the Conduct of the Convicts at Port Arthur, and the Number of Individuals under Penal Detention on the Settlement, between the 1st January and 31st December 1853.

Number of individual Convicts at the Penal Settlement, Port Arthur, during the Year 1853.	Detailed Statement of Offences adjudicated upon by the Civil Commandant and Visiting Magistrate.								Offences and Punishment.												
	Insubordination.	Common Assaults.	Larceny under 5 <i>l</i> .	Absconding.	Wilful Destruction of Property.	Idleness.	Disobedience of Orders.	Misconduct consisting of Breaches of Prison Regulations.	Total Number of Offences committed.	Description.	7 Days' Solitary Confinement and under 14 Days.	14 Days' Solitary Confinement and under 30 Days.	1 Month Solitary Confinement.	18 Months' Hard Labour.	12 Months' Hard Labour.	9 Months' Hard Labour.	6 Months' Hard Labour.	3 Months' Hard Labour.	1 Months' Hard Labour.	Strict separate Treatment in new separate Prison for violent and refractory Conduct.	Total.
1,461	19	11	3	22	7	7	215	138	422	Insubordination -	-	-	18	1	-	-	-	-	-	-	19
										Assault -	1	-	9	-	-	-	1	-	-	-	11
										Larceny under 5 <i>l</i> . -	-	-	1	2	-	-	-	-	-	-	3
										Absconding -	-	-	11	11	-	-	-	-	-	-	22
										Wilful Destruction of Property -	-	2	3	-	-	-	-	-	-	-	7
										Idleness -	-	4	-	-	-	-	2	-	-	-	7
										Disobedience of Orders -	5	99	-	1	12	4	80	7	3	4	215
										Misconduct, &c. -	6	65	7	6	6	2	30	5	3	8	138
										Total -	11	171	49	21	18	6	116	12	6	12	422

Strength of the Establishment on 1st January 1854 - - - 744.

The Comptroller General, &c. &c.

J. BOYD, Civil Commandant.

H.

VAN DIEMEN'S LAND.

Penal Settlement, Port Arthur,
January 19, 1854.

RETURN showing the various Descriptions of Labour at which the Convicts have been employed since the 1st November 1853.

- Agricultural labourers.

Basket makers.

Bakers.

Blacksmiths.

Bookbinder.

Boat builders.

Boat's crew.

Brickmakers.

Bricklayers.

Broom makers.

Carpenters.

Cooks.

Charcoal burning.

Coopers.

Excavating.

Fencing.

Harness makers.

Haymaking.

Hoeing potatoes.

Levelling earth.

Messengers.

Mat makers.

Mowing.

Nailors.

Painters.

Pile driving.
- Pile shoeing.

Plastering.

Quarrying.

Reaping.

Road making and repairing.

Sawyers.

Servants.

School-keeper.

Shinglers.

Shoemakers.

Splitters.

Straw platters.

Stone masons.

Stonebreaking.

Store labourers

Sub-overseers or gang messengers.

Tailors.

Tin-plate workers.

Wheelrights,

Wood cutters.

Water carriers.

Wardsmen.

Watchmen.

Washermen.

Writers.

J. BOYD, Civil Commandant.

Rules to be observed by the Convicts.

1. THE convicts, upon no pretence whatever are to attempt holding any communication with each other, either by words or signs; and must never read aloud, sing, whistle, dance, or make any other noise in their cells, exercise yards, corridors, or chapel. The convicts are only to be addressed by the numbers of their cells, and no man must ever use his name in communicating with the officers placed over him.

2. They are to rise when the first bell is rung, immediately wash their hands and faces, and roll up their bedding neatly, according to the form prescribed, and place it upon the top of the cupboards. The days for airing bedding will be communicated by the officer in charge.

3. The cells are then to be swept, and with the furniture properly scoured, and the slops are to be handed out as the bell is rung in the corridor, and the doors opened for that purpose.

4. The convicts will keep their persons and cells at all times in the highest state of cleanliness, and must have the cell, furniture, and utensils neatly arranged according to the order directed.

5. The convicts will wash their feet twice in summer, and once in winter, weekly, viz; on the evening before putting on clean shirts.

6. The convicts must never allow their clothing to remain out of repair, but when necessary will apply to the officer in charge for the requisite materials. The clothing must also be kept clean; and upon all occasions when the convicts are out of their cells, except for cleansing purposes, they are to be closely buttoned up.

7. Before the convicts leave their cells, they are invariably to draw down their cap peaks, and attach the cell badges to the breasts of their jackets, and upon all occasions when marching to the exercise yards or to the chapel they must observe an interval of five yards from each other, a distance they are upon no account to diminish.

8. The convicts in returning to their cells will keep the same distance as above described, and upon entering them will immediately close the doors.

9. Should any convict have a complaint to make respecting the quantity or quality of his rations, he must state it when the meal is delivered, and before the article complained of has been taken into his cell; no complaint respecting quantity will be attended to afterwards. The convicts are also at liberty to address any complaint to the Comptroller-General, Visiting Magistrate, Superintendent, or senior officer in charge; but they are warned against making any frivolous or groundless complaints, as for such they will be liable to punishment.

10. When convicts wish to address the Comptroller-General, Visiting Magistrate, Superintendent, Chaplain, or Medical Officer, they will apply to the officer of the cells for that purpose.

11. Any convict requiring assistance or instruction, or having anything important to communicate during, the day or night, will ring his bell for the officer on duty, to whom he will state the reason of the summons; but upon no account is such a call to be made unless urgently required, and all conversation which is not strictly necessary must then be avoided.

12. The convicts will not unroll their bedding in the evening until the hand bell has been rung for that purpose, and they will extinguish their cell lights and retire to rest upon the last bell being rung for the night.

13. No convict is upon any account to look out of his cell window, nor stop any of the ventilating apertures.

14. If upon any occasion it is found necessary for one convict to pass another when out of their cells, the one to be passed will immediately face and stand close to the nearest wall, until the other has gained the proper distance from him, when he will resume his former position; but no convict is upon such occasions to face a cell door.

15. The convicts are to be very respectful to all visitors and officers of the government, and they are never to pass an officer without touching their caps.

16. They are never to wear their caps in the cells, but must suspend them to the bell pulls.

17. They will be careful not to take down the cell lamps, nor to spill the oil; and they will be held accountable that the lamps are kept properly burning.

18. The convicts are never to smoke, or light pieces of paper, rags, &c. either in their cells, exercise yards, or any other part of the prison; and they are strictly prohibited from having tobacco, money, trinkets, or sharp instruments in their possession.

19. No surplus article of clothing or property of any description is to be in the possession of any convict, and convicts who in any way damage their bedding or any article belonging to the Government; will invariably be punished.

20. Convicts will be allowed to write one letter, and to receive another, every three months, and when desirous of writing, application is to be made to the officer of their division for the necessary materials.

Labour.

21. All convicts ordered to work are to be diligent and attentive in performing whatever description of labour may be assigned to them.

22. They are upon no account to be idle during the authorized hours of labour, but must continue to devote themselves actively to their work during the day.

23. They will apply to the officer in charge for instruction as to the manner of performing their work, whenever necessary.

24. Any wilful or negligent mismanagement of work will subject the offender to punishment.

Exercise.

Every convict under separate treatment is to receive exercise for one hour daily; and should the medical officer deem it necessary for the preservation of health, a longer period will be allowed. No convict undergoing solitary confinement is to be exercised until after the third day, except upon the recommendation of the medical officer.

26. In proceeding to the exercise yards, the convicts will move out of their cells as soon as their doors are opened, taking care to attach their badges to their jackets, and to draw down their cap peaks previously; they will then march to the yards as directed by the officer, preserving the proper distance from each other, viz., five yards; and as soon as each man enters his exercise yard he will advance close to and face the farthest extremity of the yard, in which position he is to remain with his cap peak down until the officer calls out "walk about."

27. While at exercise the convicts will continue to walk at a brisk pace, and are never to loiter, or lean against the walls, nor to keep their hands in their clothing, which must be kept closely buttoned up. In wet or hot weather the convicts are to walk under the sheds provided in the exercise yards.

28. The strictest silence must be observed at exercise, and any convict infringing this regulation, or attempting to communicate with another convict, will be at once returned to his cell for trial.

29. At the expiration of the period of exercise the hand bell will be rung, at which signal the convicts will draw down their cap peaks, and place themselves facing the end walls, in the same order as when they entered the yard, where they are to remain until called out by the officer, when they will proceed to their respective cells, and stand inside in readiness to shut the doors as soon as the officer arrives to lock them in.

Chapel.

30. The convicts are to leave their cells and proceed to chapel in the manner directed for exercise. Upon entering the chapel, each man will proceed to the stall which he is to occupy, and upon reaching it he is to close the door, and keep it fast until locked by the officer on the outside; he will then take off his cap and badge, and at once suspend the latter to the hook placed over his head.

31. The convicts are to pay the utmost attention to the chaplain, and are never to lounge or look about them during divine service. They are upon no account to spit upon or in any way deface their stalls, which will be examined by an officer after they leave the chapel, and any breach of this order reported.

32. The convicts are not to kneel in their stalls, and must at all times be visible to the officers in front. They are allowed to sit during the lessons and sermon, but at all other times must stand erect.

33. They are upon no account to lean their heads against the stall doors or book boards in front.

34. In the event of a convict being taken ill during divine service, he is at once to hold up his cell badge as a signal to the officer in front; but must never do so for trifling or unnecessary causes.

35. At the conclusion of the service the convicts will immediately collect their books, and attend to the officer in charge of the signal. As soon as the letters of their respective rows are shown they will attach their badges to their jackets, and put their caps on; hold the peak in one hand, and the stall door by the other. In this position they will remain until their respective numbers are shown, when they are to draw down their cap peaks, and move off to their cells, taking care to preserve the proper distance as before directed.

(Signed) J. S. HAMPTON, Comptroller-General.

J. BOYD, Civil Commandant.

EXTRACT from VISITORS' REGISTER.

VAN DIEMEN'S
LAND.

December 28, 1853.

IN our visit to this establishment we have been much interested in witnessing the quiet and orderly demeanor of the prisoners, and the arrangements that are in progress for the better carrying out of prison discipline. We have also been much gratified in observing the care manifested by the Commandant for the best welfare of those committed to his care.

(Signed) ROBERT LINDSAY,
FREDK. MACKIE,

Missionary Agents to the Society of Friends.



(4.) - - - DISTRIBUTION RETURN of the

STATIONS AND ESTABLISHMENTS.	Males.								Females.																																			
	On Probation.		Pass-holders.		Ticket-of-Leave Holders.		Probationary Ticket-of-Leave Holders.		On Probation.		Pass-holders.		Ticket-of-Leave Holders.		Children.																													
	Effectives.	In Hospitals and Invalids.	Awaiting Hire.	Under Sentence.	In Hospitals and Invalids.	Awaiting Hire.	Under Sentence.	In Hospitals and Invalids.	Effectives.	In Hospitals and Invalids.	Awaiting Hire.	Under Sentence.	In Hospitals and Invalids.	Awaiting Hire.	Under Sentence.	In Hospitals and Invalids.	Boys.	Girls.	Comptroller General.	Deputy Comptroller and Registrar.	Chief Clerk.	Clerks.	Accountant of Stores.	Civil Commandants.	Assistant Magistrates.	Visiting Magistrates.	Protestant Chaplains.	Roman Catholic Chaplains.	Protestant Catholic or Religious Instructors.	Roman Catholic ditto.	Medical Officers.	Schoolmasters.	Teacher of Psalmody.	Organist.	Purveyor.	Superintendents.	Deputy Superintendents.	Senior Assistant Superintendents.	Assistant Superintendents.	Storekeepers.				
Comptroller General's Office, Salt Water River	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
	10	4	-	114	47	-	4	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-			
Impression Bay	-	42	14	-	165	140	-	4	32	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	2	1	-	-	-	-	1	-	1	1	3	1	-			
Cascades	-	138	-	-	132	-	-	17	-	-	21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	2	8	4	1	-			
Coal Mines	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-				
St. Peter's Pass	-	-	-	-	11	-	-	2	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Gordon River	-	1	-	-	18	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Dunrobin	-	-	-	-	35	-	-	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-				
Douglas River	-	1	-	-	54	-	-	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Prisoners' Barracks (Hobart Town).	138	-	-	-	150	-	-	151	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	1	-				
Prisoners' Barracks (Launceston), and Perth Bridge detached party.	-	-	-	-	50	-	-	22	-	-	5	-	-	-	-	-	-	-	-	1	-	-	1	1	1	-	1	-	-	-	-	-	-	-	-	1	-	1	1	1				
Male House of Correction (Launceston).	2	-	-	-	53	-	-	23	-	-	15	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-				
Ross (Males)	-	-	-	-	39	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Port Arthur	-	244	-	-	430	-	-	22	-	-	8	-	-	-	-	-	-	-	-	-	1	-	1	1	-	1	1	-	1	-	-	-	-	-	-	-	1	1	6	1				
Norfolk Island	-	246	-	-	38	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	1	1	-	1	2	-	-	-	-	-	-	-	1	1	-	1	-	1	4	2		
Cascade Factory and Brickfields.	-	-	-	-	-	-	-	-	-	114	-	330	-	49	-	77	49	-	-	-	2	-	-	-	-	1	1	-	1	1	-	-	-	-	1	-	-	-	1	-	1			
Launceston Factory	-	-	-	-	-	-	-	-	-	7	-	2105	-	15	-	13	12	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Ross Factory	-	-	-	-	-	-	-	-	-	-	9	43	-	-	-	-	17	20	-	-	-	-	-	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Hospitals and Lunatic Asylum.	-	11	-	-	147	-	-	18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Gaols	-	11	-	-	20	-	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
Queen's Orphan Schools	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	240	190	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	1	1	1	1	1	1	1			
TOTAL	-	833	29	-	1329	334	-	285	50	-	62	-	123	-	11	750	98	-	60	5	353	280	1	1	1	35	1	2	2	4	8	8	2	-	9	6	1	2	1	6	2	8	22	8
		862			1,063			335			62		123			845		70		633																								

Pass-holders in private service 2,622 1,038
 Probationary ticket-of-leave holders in private service 4,744 1,494
 Ticket-of-leave holders earning their own livelihood 115 - - -
 4,704 1,638
 12,575 4,170

Total males and females. 16,745

Convict Department on 31st December 1853.

Overseers.	Assistant Overseers.	Assistant Superintendent of Agriculture.	Assistant Superintendent of Sheep Farm.	Night Officer.	Chief Constables.	Senior or District Constables.	Special Constables.	Petty Constables.	Escort Constables.	Goalers.	Turnkeys and Warders.	Watchmen, Day and Night.	Gatekeepers.	Schoolmistresses.	Matrons.	Sub-Matrons.	Instructress of Needlework.	Midwife.	Nurses.	Cooks.	Laundresses.	Housemaids.	Searchers.	School Monitors.	Office Keeper.	Messengers.	Clock Regulator.	Shepherds.	Millers.	Bakers.	Shoemakers.	Tailors.	Bookbinders.	Writers.	Coxswains.	Boatmen.	Chapel Attendant.	Beadle.	Weavers and Fuller.	Hospital Steward or Attendant.	Paid Mechanics.	Farm Labourers.	Van Constable and Driver.	Graveldigger.					
4	2	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	4	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	1	-	-	-	-			
5	3	-	-	-	1	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	-	-	-	-				
6	2	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	1	-	-	-	-					
-	-	1	-	-	1	-	24	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-		
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5	2	-	-	-	1	-	11	15	-	-	20	2	-	-	-	-	-	-	-	-	1	-	-	-	-	-	1	-	1	1	-	1	-	1	-	-	-	-	-	-	-	89	-	1	-	-			
1	-	-	-	-	-	-	1	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-	1	-	-	-	-				
2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
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13	4	-	-	-	1	2	44	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	3	6	-	-	-	-	-	12	-	-	-	-				
7	1	-	-	-	-	-	25	3	11	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	5	-	-	-	-	1	-	-	-	-	-	-	-		
11	-	-	-	-	-	-	-	-	-	-	1	2	1	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	2	-	-	-	5	-	-	-	1	-	-	-	
4	-	-	-	-	-	-	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	2	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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of farm	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
02	15	1	1	-	1	5	2	117	15	2	15	24	3	3	3	4	3	1	1	7	2	2	2	1	1	1	6	1	3	2	3	1	2	1	11	5	11	-	1	5	2	103	10	1	1	-			

The magistrate resides at the coal mines, and visits this station, Inpression Bay, and the Cascades. There are 3 men free by servitude or pardon under sentence to hard labour, and 15 pauper lunatics free or free by servitude and pardon, also on the strength of this station. The medical officers visit Salt Water River and the Cascades. The schoolmaster visits Salt Water River. There are 10 men free, or free by servitude and pardon, under sentence to hard labour, and 102 pauper invalids free, or free by servitude and pardon, at this station. There are also 28 men free, or free by servitude and pardon, under sentence to hard labour at this station.

The labour of the convicts is directed by officers paid from colonial funds belonging to the Public Works Department. The station is visited by the police magistrate from Oatlands, and the medical officer from Ross.

The labour of the convicts is directed by officers paid from the colonial fund as above. These stations are visited by the assistant police magistrate, clergymen, and a private medical practitioner from Hamilton.

A magistrate and private medical practitioner visit this station from Swan Port. The labour of the convicts is directed by officers paid from colonial funds.

The magistrate visits, and the superintendent has charge of all convict establishments, Hobart Town, In addition to this strength, there were 10 passholders who had been hired by settlers, but not discharged to their respective services, and 98 men free, or free by servitude and pardon, under sentence to hard labour.

The magistrate, medical officer, and clergymen visit all convict establishments at Launceston. There are also 32 men free, or free by servitude and pardon, under sentence to hard labour at this establishment. The superintendent has charge of the Male House of Correction, and the detached party at Perth Bridge.

The male convicts at this station are under the charge of the officers at Ross Factory. The police magistrate, Campbell Town, visits the station. There are 12 men who were free by servitude or pardon were re-convicted under sentence to hard labour at this penal settlement.

There are 44 women, free, or free by servitude and pardon, under sentence to hard labour in this establishment.

There are 21 women of a similar description, also under sentence at this establishment.

1 woman free by servitude is under sentence to hard labour at this establishment.

Of the 445 children on the strength of this establishment, 11 boys and 8 girls are employed as monitors, and are receiving pay.

The magistrate resides at the coal mines, and visits this station, Impression Bay, and the Cascades. There are 3 men free by servitude or pardon under sentence to hard labour, and 15 pauper lunatics free or free by servitude and pardon, also on the strength of this station. The medical officers visit Salt Water River and the Cascades. The schoolmaster visits Salt Water River. There are 10 men free, or free by servitude and pardon, under sentence to hard labour, and 102 pauper invalids free, or free by servitude and pardon, at this station. There are also 28 men free, or free by servitude and pardon, under sentence to hard labour at this station.

The labour of the convicts is directed by officers paid from colonial funds belonging to the Public Works Department. The station is visited by the police magistrate from Oatlands, and the medical officer from Ross.

The labour of the convicts is directed by officers paid from the colonial fund as above.

These stations are visited by the assistant police magistrate, clergymen, and a private medical practitioner from Hamilton.

A magistrate and private medical practitioner visit this station from Swan Port. The labour of the convicts is directed by officers paid from colonial funds.

The magistrate visits, and the superintendent has charge of all convict establishments, Hobart Town. In addition to this strength, there were 10 passholders who had been hired by settlers, but not discharged to their respective services, and 98 men free, or free by servitude and pardon, under sentence to hard labour.

The magistrate, medical officer, and clergymen visit all convict establishments at Launceston. There are also 32 men free, or free by servitude and pardon, under sentence to hard labour at this establishment. The superintendent has charge of the Male House of Correction, and the detached party at Perth Bridge.

The male convicts at this station are under the charge of the officers at Ross Factory. The police magistrate, Campbell Town, visits the station. There are 12 men who were free by servitude or pardon were re-convicted under sentence to hard labour at this penal settlement.

There are 44 women, free, or free by servitude and pardon, under sentence to hard labour in this establishment.

There are 21 women of a similar description, also under sentence at this establishment.

1 woman free by servitude is under sentence to hard labour at this establishment.

Of the 445 children on the strength of this establishment, 11 boys and 8 girls are employed as monitors, and are receiving pay.

J. S. HAMPTON

Comptroller-General.

No. 5.

RETURN showing the Number of each of the different Classes of Convicts in Van Diemen's Land on the 31st December 1852 and the 31st December 1853.

PERIOD.	Maintained by Government.												Not maintained by Government.												GENERAL																																																																						
	Ticket-of-Leave Holders.						Pass-holders.						Probationary Ticket-of-Leave Holders.						On Probation.						Ticket-of-Leave Holders earning their own Livelihood.						Pass-holders in Private Service.						Probationary Ticket-of-Leave Holders in Private Service.						TOTAL.																																																				
	At Depôt.			Under Sentence.			In Hospitals and Invalids.			At Depôt.			Under Sentence.			In Hospitals and Invalids.			Under primary Probation.			Under 2d Sentence at Penal Settlement.			In Hospitals and Invalids.			Ticket-of-Leave Holders earning their own Livelihood.			Pass-holders in Private Service.			Probationary Ticket-of-Leave Holders in Private Service.			TOTAL.																																																										
	In Hospitals and Invalids.			At Depôt.			Under Sentence.			In Hospitals and Invalids.			Under primary Probation.			Under 2d Sentence at Penal Settlement.			In Hospitals and Invalids.			Ticket-of-Leave Holders earning their own Livelihood.			Pass-holders in Private Service.			Probationary Ticket-of-Leave Holders in Private Service.			TOTAL.																																																																
	M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		M.	F.		Grand Total.																																																							
31 Dec. 1852	2	—	428	57	15	5	8	12	1,227	730	313	126	1	47	1	449	100	513	—	24	—	3,024	1,030	5,846	1,848	5,063	1,555	739	—	11,648	3,403	14,672	4,433	19,105																																																													
31 Dec. 1853	—	—	285	65	50	5	—	11	1,329	736	334	98	—	62	—	357	123	476	—	29	—	2,922	1,038	4,794	1,638	4,744	1,494	115	—	9,653	3,132	12,575	4,170	16,745																																																													
Decrease	2	—	143	—	—	—	8	1	—	—	—	28	1	—	1	92	—	37	—	—	—	102	—	1,052	210	319	61	624	—	1,995	271	2,097	263	2,360																																																													
Increase	—	—	—	8	35	—	—	—	102	6	21	—	—	15	—	23	—	—	5	—	—	—	8	—	—	—	—	—	—	—	—	—	—	—	—	—	—																																																										
Total decrease												—												102												—												1,995												271												—																							
Total increase												—												—												—												—												—												—												—											
Being a total decrease in both Sexes of												—												—												—												—												—												—												2,360											

J. S. HAMPTON, Comptroller-General.

No. 6.

VAN DIEMEN'S
LAND.

RETURN showing the Number of Male Convicts who arrived in Van Diemen's Land from the United Kingdom during the Twelve Months ended 31st December 1853, the Number originally embarked, the Number who died on the Voyage, and the Number landed in the Colony, with their Condition on Arrival.

Ships.	Date of Arrival.	Whence sailed.	Number by Assign- ment List.	Number of Deaths on Voyage.	Total Number landed in the Colony.	Condition on Arrival.	
						Passholders for private service.	For Probation Gang.
Lord Auckland 3d	29 January 1853	Ireland	248	2	246	246	—
Rodney 3d	12 February 1853	Ireland	342	3	339	5	334
Oriental Queen	19 February 1853	England	280	3	277	250	27
St. Vincent	26 May 1853	England via Gibraltar	210*	5	207	167	40
			1080	13	1069	668	401

* One convict from England whose name appears in the assignment list was disembarked at Gibraltar, and three others embarked whose names were not included in that document.

J. S. HAMPTON, Comptroller-General.

No. 7.

RETURN showing the Number of Male Convicts who arrived in Van Diemen's Land from British Colonies or Possessions during the Twelve Months ended 31st December 1853.

Ships.	Date of Arrival.	Whence from.	Class of Convicts.			Total.	Remarks.
			Military.	Naval.	Civil.		
Anglia	6 March 1853	India	15	1	4	20	} For Probation Gang.
Exchange and Cir- cassian.	31 March 1853	New Zealand via Port Philip.	—	—	5	5	
Emma	6 December 1853	Sydney	1	—	—	1	
			16	1	9	26	

J. S. HAMPTON, Comptroller-General.

No. 8.

RETURN showing the Number of Female Convicts who arrived in Van Diemen's Land from the United Kingdom during the Twelve Months ended 31st December 1853, the Number originally embarked, the Number who died on the Voyage, and the Number landed in the Colony, with their Condition on Arrival.

Ships.	Date of Arrival.	Whence sailed.	Number by Assign- ment List.	Number of Deaths on the Voyage.	Total number landed in the Colony.	Condition on Arrival.	
						Passholders for private Ser- vice.	For Probation, having be- haved ill on the Voyage.
Midlothian	23 February 1853	Ireland	170	1	169	158	11
Duchess of Northumberland	21 April 1853	England	219	3	216	216	—
			389	4	385	374	11

J. S. HAMPTON, Comptroller-General.

No. 9.

RETURN of the Number of Marriages of Convicts sanctioned during Twelve Months, ended 31st December 1853.

Period.	Free men.		Male ticket-of-leave holders.			Male passholders.			Total number of marriages sanctioned.
	To female pass- holders.	To female ticket- of-leave holders.	To female pass- holders.	To female ticket- of-leave holders.	To free women.	To female pass- holders.	To female ticket- of-leave holders.	To free women.	
1st January to 31st Dec. 1853	267	132	257	97	155	44	19	32	1003

J. S. HAMPTON, Comptroller-General.

VAN DIEMEN'S
LAND.

No. 10.

RETURN showing the Number of Offences and Punishments of Male and Female Convicts
31st December

Male Convicts.																				
OFFENCES.	Under Probation.			Pass-holders under Sentence and awaiting hire.			Probationary Ticket-of-Leave-holders under Sentence and awaiting hire.			Ticket-of-Leave-holders under Sentence and awaiting hire.			Free by Servitude or Pardon under Sentence to Imprisonment with Hard Labour.			Never-trans-ported Offenders under Sentence to Imprisonment with Hard Labour.				
	How disposed of.			How disposed of.			How disposed of.			How disposed of.			How disposed of.			How disposed of.				
	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged
No. 1.—Offences against the Person.																				
Attempts to murder - - -	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Assaults - - - - -	7	-	7	-	22	-	22	-	-	-	-	-	-	-	-	-	-	-	-	-
Assaults on peace officers in the execution of their duty - - -	-	-	-	-	1	-	1	-	-	-	-	1	-	1	-	-	-	-	-	-
No. 2.—Offences against Property committed with Violence.																				
Robbery - - - - -	-	-	-	-	2	-	2	2	-	-	-	-	-	-	-	-	-	-	-	-
No. 3.—Offences against Property committed without Violence.																				
Larceny, simple - - - -	4	-	4	-	13	-	13	-	1	-	1	-	-	-	-	-	-	-	-	-
Receiving stolen goods - - -	1	-	1	-	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
Obtaining goods by false pretences - - -	-	-	-	-	1	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-
No. 4.—Malicious Offences against Property.																				
Other malicious offences - - -	1	-	1	-	7	-	7	1	-	-	-	-	-	-	-	-	-	-	-	-
No. 6.—Other Offences not included in the above classes.																				
Rescue, and refusing to aid police officers - - - - -	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-	-	-
Keeping disorderly houses - - -	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Felonies not included in the above denominations - - - -	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-	-	1	-	1
Absconding - - - - -	27	-	27	-	71	-	71	-	-	-	-	-	-	-	-	-	-	-	-	-
Insubordination - - - - -	2	-	2	-	43	-	43	-	4	-	4	-	1	-	1	-	-	-	-	-
Absence without leave - - - -	18	-	18	-	80	-	80	2	2	-	2	-	3	-	3	-	1	-	1	-
Refusing to work - - - - -	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8	-	8	-
Disobedience of orders - - -	87	-	87	11	266	-	266	33	12	-	12	-	1	-	1	-	8	-	8	-
Drunkenness - - - - -	21	-	21	-	89	-	89	3	7	-	7	-	2	-	2	-	-	-	-	-
Indecent or abusive language - - -	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	-	5	-
Neglect of duty - - - - -	18	-	18	-	68	-	68	4	2	-	2	-	4	-	4	-	-	-	-	-
Profane swearing - - - - -	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-
Insolence - - - - -	32	-	32	-	49	-	49	0	-	-	-	-	-	-	-	-	4	-	4	-
Idleness - - - - -	16	-	16	1	35	-	35	2	4	-	4	-	3	-	3	-	3	-	3	1
Minor breaches of convict discipline -	109	-	109	10	386	-	386	28	25	-	25	1	20	-	20	1	-	-	-	-
Total - - - - -	343	-	343	22	1137	1	1136	82	57	-	57	1	36	-	36	1	50	-	30	1

SUMMARY

MALES.								
	Average No. of men who have been at Stations and Depôts during twelve months ended 31st Dec. 1853.	Number of Cases.	How disposed of.			Total number convicted.	Per-centage of Offence.	
			Committed for Trial.	Tried summarily.	Acquitted or discharged.			
Under probation - - - - -	1,116	343	-	343	22	321	0.28	
Pass-holders - - - - -	7,671	1,137	1	1,136	82	1,054	0.13.	
Probationary ticket-of-leave holders - - -	675	57	-	57	1	56	0.8	
Ticket-of-leave holders - - - - -	1,572	36	-	36	1	35	0.2	
Free by servitude or pardon under sentence -	561	30	-	30	1	29	0.5	
Never-transported offenders, under sentence to	727	4	-	4	-	4	0.05	

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VAN DIEMEN'S
LAND.

Female Convicts.												Sentence passed.														
Under Probation.			Pass-holders under Sentence and awaiting hire.			Ticket-of-Leave-holders under Sentence and awaiting hire.			Free by Servitude or Pardon under Sentence to Imprisonment with Hard Labour.			Period of Transportation extended.			Imprisonment, with Hard Labour, in Chains.			Imprisonment, with Hard Labour, out of Chains.			Solitary Confinement.					
Number of Cases.	How disposed of.		Number of Cases.	How disposed of.		Number of Cases.	How disposed of.		Number of Cases.	How disposed of.		18 Months and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	2 Years and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	18 Months and above 1 Year.	1 Year and above 6 Months.	6 Months and under.	1 Month and above 14 Days.	14 Days and under.	Flogged.	Number of Lashes inflicted.	Admonished.	Separate Treatment.
	Committed for Trial.	Tried Summarily.		Committed for Trial.	Tried Summarily.		Committed for Trial.	Tried Summarily.		Committed for Trial.	Tried Summarily.															
1	-	-	2	-	-	1	-	-	1	-	-	1	-	-	-	-	4	-	5	3	2	12	3	-	-	-
2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-
3	-	-	-	-	-	1	-	-	-	-	-	1	4	-	-	-	-	7	1	1	1	-	-	-	-	-
4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-
5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
15	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
19	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
20	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
22	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
23	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
24	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
25	-	-	-	-	-																					

FEMALES.							
Average No. of women who have been at Establishments for Female Convicts during twelve months ended 31st Dec. 1853.	Number of Cases.	How disposed of.			Total Number convicted.	Per-centage of Offence.	
		Committed for trial.	Tried summarily.	Acquitted or discharged.			
264	16	-	16	-	16	·06	Under probation.
2,234	137	-	137	5	132	·05	Pass-holders.
-	-	-	-	-	-	-	Probationary ticket-of-leave holders.
536	4	-	4	-	4	·007	Ticket-of-leave holders.
307	1	-	1	-	1	·003	Free by servitude or pardon under, &c.
-	-	-	-	-	-	-	Never-transported offenders, under, &c

G 3

VAN DIEMEN'S

LAND.

No. 6.

No. 6.

COPY of a DESPATCH from Lieut.-Governor Sir WM. DENISON to
the Duke of NEWCASTLE.

(No. 30.)

Van Diemen's Land, Government House,
March 15, 1854.

(Received June 12, 1854.)

MY LORD DUKE,

(Answered No. 4, 27th June 1854, Page 82.)

IN my former Despatches, No. 197,* dated October 2, 1852, and No. 181†, dated September 1, 1853, I brought under the notice of the Secretary of State the injustice which would be inflicted upon many of the best conducted of the convict population of this colony by the operation of the Convicts' Prevention Bill, passed by the Legislative Council of Victoria, and assented to by the Lieutenant Governor.

Your Grace, in a Despatch, No. 61,‡ dated 2nd May, 1853, enclosed a copy of a communication addressed to the Lieutenant Governor of Victoria, notifying to him Her Majesty's disallowance of the bill in question, with instructions for the introduction of a modified measure from which the objectionable provisions of the former bill were to be omitted.

3. This bill however, it appears, has not become law in its modified form, and I am now compelled to bring under your Grace's notice the fact that there are men holding conditional pardons under Her Majesty's authority who are now suffering punishment in Victoria under sentences of imprisonment with hard labour, their sole offence being that by the terms of the Convicts Prevention Act they are still considered to be convicts illegally at large, notwithstanding the pardon which has been granted to them.

4. I have now before me the two instances referred to in the accompanying enclosures, in which men to whom conditional pardons were issued last year have been sent to this colony after imprisonment for some time at Melbourne; and I know from the evidence of the papers, and from private statements, that there are several men working on the roads in Victoria whose sole crime was, I may say, the possession of a conditional pardon.

5. I feel it my duty to bring under your Grace's notice the very flagrant injustice which has been committed on these men, many of whom after working hard and becoming possessed of property have been deprived of it, and also of their liberty, under the provisions of an Act specially disallowed by Her Majesty, but retained in force pending a reference which has been made to your Grace by the Lieutenant Governor respecting a still more objectionable enactment proposed to be substituted for it by the legislature.

6. I do not attempt to bring individual cases before your Grace, for this would lead only to a very partial remedy of the evil, the extent of which seems to me only to require to be known to Her Majesty's Government to cause its immediate cessation; but I trust that Instructions will be given to the Lieutenant Governor of Victoria to make a return of the number of persons who have been punished either by imprisonment or banishment from the colony under the provisions of the Act in question, and that some compensation should be awarded to them for the injustice with which they have been treated.

The Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) W. DENISON'
Governor.

Encl. 1 in No. 6.

Enclosure 1 in No. 6.

MEMORANDUM.

Launceston, March 11, 1854.

IN reply to the Lieutenant-Governor's memorandum, the Bench Clerk informs me that, on Daniel Bridges and William Harding being brought up at the police office here, they each stated to the police magistrate of Launceston that when apprehended in the Colony of Victoria they both had their conditional pardons in their possession, and that they showed and pleaded them before the magistrate at Heidelberg, Victoria; that they had been confined in gaol several weeks; that all their money was taken from them (17l. from one of the men), and that they had been returned to Van Diemen's Land quite penniless, and wished to know if they had any redress.

JOSH. PENNY, J.P.,
Acting for Police Magistrate, Launceston.

* Page 63 of Papers on Convict Discipline, presented to Parliament, 18th July 1853.

† Page 61. Similar Papers for May 1854.

‡ Page 119. Similar Papers, 18th July 1853.

20,260.

VAN DIEMEN'S
LAND.

1.

All I can do is to bring the case of these men, and others similarly situated, under the consideration of Her Majesty's Government, and this I may as well do at once.

March 7, 1854.

(Signed) W. DENISON.

Let us ascertain whether these men showed their pardons and pleaded them; then let copies be prepared.

(Signed) W. D.

Enclosure 2 in No. 6.

Encl. 2 in No. 6.

SIR,

Launceston, March 2, 1854.

I HAVE the honour to report that Daniel Bridges, per "Anson," and William Harding, per "Blundell," have been forwarded to this from Melbourne, under the accompanying warrants.

Both men produced their conditional pardons, and as I satisfied myself as to the identity of these persons, I at once discharged them from custody. I am at a loss to know why these men were returned to this colony, as they both held proper documents only issued last year.

I have, &c.,

(Signed) W. GUNN.

As this is a matter which may affect many emigrants from these shores, I deem it a matter so important as to induce me to bring it specially under the notice of the Lieutenant Governor, with a view to the evil being remedied. From the letter of Mr. Gunn, the police magistrate of Launceston, it may be inferred that these men were in possession of their proper instruments of conditional pardon, and that they exhibited them to the authorities at Melbourne. If they did not they are to blame, and upon this point I shall direct an immediate inquiry to be made. If they did produce these documents (of which perhaps the Comptroller General will supply a copy), I cannot imagine, not having the Acts of Council of Victoria to refer to, why these men should be returned under a warrant the body of which charges them respectively with being "offenders" (of what kind? or against what?) "illegally at large." Their conditional pardon is by Her Majesty, or Her authority, and valid everywhere except in the territory specially named, equally so with a free pardon. The prerogative here is set at nought, and, as a lawyer, I have no hesitation in saying it is illegally set at nought.

March 4, 1854.

(Signed) F. BURGESS.

SUBMITTED.

March 7, 1854.

Conditional pardons copies enclosed were issued last year to the two men herein referred to, but they may consider themselves fortunate that under the Convicts Prevention Act they were not sent to work for three years in irons on the roads of Victoria, instead of being returned to Van Diemen's Land.

(Signed) J. S. HAMPTON.

Enclosure 3 in No. 6.

Encl. 3 in No. 6.

(Form 3.)

Van Diemen's Land.

To all to whom these presents shall come, I, Sir William Thomas Denison, Knight, Lieutenant-Governor of the island of Van Diemen's Land and its dependencies, send greeting.

No. 1,727.

WHEREAS William Harding was, on the thirteenth day of December, in the year 1843, at Gloucester, in the county of Gloucester, indicted and tried for robbery with violence, and was then duly convicted of the said offence, and upon such conviction was, by the said Court, sentenced for such offence to be transported for the term of fifteen years, and arrived in this island under, and in pursuance of such sentence, in the year 1846: And whereas, afterwards, in pursuance of the provision in that behalf contained of an Act of Parliament passed in the sixth year of the reign of Her Majesty Queen Victoria, intituled "An Act to amend the Law affecting transported Convicts with respect to Pardons and Tickets-of-Leave," I, the said Lieutenant-Governor, by an instrument in writing under my hand, did recommend the said William Harding to Her Majesty for a pardon for his said offence, to be available within all places in Her Majesty's dominions, except the United Kingdom of Great Britain and Ireland, but upon the condition that he should not return to, or be found within the said United Kingdom, during the said term

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for which he was so sentenced to be transported as aforesaid: And whereas, Her Majesty hath been pleased, by instructions sent to me by one of Her principal Secretaries of State, to signify Her approval of such my recommendation. Now therefore I, the said Lieutenant-Governor, in exercise of the power and authority in me by the said Act of Parliament in this behalf vested, and pursuant to the instructions so as aforesaid sent to me by the said Secretary of State, do, by this instrument in writing under the seal of the colony of Van Diemen's Land, remit and release to the said William Harding, the residue of the term for which he was so sentenced to be transported, as aforesaid, yet to come and unexpired, and all pains and penalties whatever in respect of the offence whereof the said William Harding was so convicted as aforesaid; and do grant unto the said William Harding, a pardon for his said offence, and the firm peace of our said Lady the Queen, available within all places in Her Majesty's dominions, except the said United Kingdom; so that the said William Harding, may stand clear in all Courts of Justice whatever and elsewhere within such places, if any one should hereafter speak against him touching the said offence whereof he was so convicted as aforesaid: Provided always, and these presents are upon this express condition, that the said William Harding shall not, during the period for which he was so sentenced to be transported as aforesaid, return to, or be found within the said United Kingdom.

In testimony whereof, I have hereto set my hand, and caused the seal of the colony of Van Diemen's Land to be hereunto affixed, at Hobart Town in Van Diemen's Land, this thirty-first day of July, in the year of our Lord one thousand eight hundred and fifty-three.

(Signed) W. DENISON,
Lieutenant-Governor.

(Signed) J. S. HAMPTON,
Comptroller-General.

Register B. Folio

Per ship "Blundell,"

Description of the said William Harding:—

Trade	-	-	-	-	Farm labourer.
Native Place	-	-	-	-	Babbington, Gloucester.
Height without Shoes	-	-	-	-	5 feet 3 inches.
Age	-	-	-	-	39 years.
Complexion	-	-	-	-	Sallow.
Head	-	-	-	-	Long.
Hair	-	-	-	-	Sandy.
Whiskers	-	-	-	-	Brown.
Visage	-	-	-	-	Broad.
Forehead	-	-	-	-	Medium.
Eyebrows	-	-	-	-	Brown.
Eyes	-	-	-	-	Blue.
Nose	-	-	-	-	Medium.
Mouth	-	-	-	-	Small.
Chin	-	-	-	-	Broad.
Remarks	-	-	-	-	Scar on left forefinger; scar on right ditto; mole on left arm.

(Signed) GEO. HARBROE.

Comptroller General's Office, August 2, 1853.

Encl 4 in No. 6.

Enclosure 4 in No. 6.

(Form 3.)

Van Diemen's Land.

To all to whom these presents shall come, I, Sir William Thomas Denison, Knight, Lieutenant-Governor of the island of Van Diemen's Land and its Dependencies, send greeting.

No. 685.

WHEREAS Daniel Bridges was, on the eleventh day of March in the year 1843, at Stafford, in the county of Stafford, indicted and tried for Arson, and was then duly convicted of the said offence, and upon such conviction was, by the said Court, sentenced for such offence to be transported for the term of fifteen years, and arrived in this island under and in pursuance of such sentence, in the year 1844: And whereas afterwards, in pursuance of the provision in that behalf contained of an Act of Parliament, passed in the sixth year of the reign of Her Majesty Queen Victoria, intituled "An Act to amend the Law affecting transported Convicts with respect to Pardons and Tickets-of-Leave," I, the said Lieutenant-Governor, by an instrument in writing under my hand, did recommend the said Daniel Bridges to Her Majesty for a pardon for his said offence, to be available

within all places in Her Majesty's dominions, except the United Kingdom of Great Britain and Ireland, but upon the condition that he should not return to, or be found within the said United Kingdom during the said term for which he was so sentenced to be transported as aforesaid: And whereas, Her Majesty hath been pleased, by instructions sent to me by one of Her Majesty's principal Secretaries of State, to signify Her approval of such my recommendation. Now therefore I, the said Lieutenant-Governor, in exercise of the power and authority in me by the said Act of Parliament in this behalf vested, and pursuant to the instructions so as aforesaid sent to me by the said Secretary of State, do, by this instrument in writing under the seal of the colony of Van Diemen's Land, remit and release to the said Daniel Bridges the residue of the term for which he was so sentenced to be transported as aforesaid yet to come and unexpired, and all pains and penalties whatever in respect of the offence whereof the said Daniel Bridges was so convicted as aforesaid; and do grant unto the said Daniel Bridges a pardon for his said offence, and the firm peace of our said Lady the Queen, available within all places in Her Majesty's dominions, except the said United Kingdom; so that the said Daniel Bridges may stand clear in all Courts of Justice whatever and elsewhere within such places, if any one should hereafter speak against him touching the said offence whereof he was so convicted as aforesaid. Provided always, and these presents are upon this express condition, that the said Daniel Bridges shall not, during the period for which he was so sentenced to be transported as aforesaid, return to or be found within the said United Kingdom.

In testimony whereof I have hereto set my hand, and caused the seal of the colony of Van Diemen's Land to be hereunto affixed, at Hobart Town in Van Diemen's Land, this twenty-fifth day of June, in the year of our Lord one thousand eight hundred and fifty-three.

(Signed) W. DENISON,
Lieutenant-Governor.

(Signed) J. S. HAMPTON,
Comptroller-General.

Register B Folio.

Per Ship "Anson."

Description of the said Daniel Bridges.

Trade	-	-	-	-	Farm labourer.
Native place	-	-	-	-	Embleton, Worcester.
Height without shoes	-	-	-	-	5 feet 9½ inches.
Age	-	-	-	-	43 years.
Complexion	-	-	-	-	Fresh.
Head	-	-	-	-	Oval.
Hair	-	-	-	-	Dark Brown.
Whiskers	-	-	-	-	Ditto.
Visage	-	-	-	-	Oval.
Forehead	-	-	-	-	Medium.
Eyebrows	-	-	-	-	Dark Brown.
Eyes	-	-	-	-	Light Brown.
Nose	-	-	-	-	Medium.
Mouth	-	-	-	-	Ditto.
Chin	-	-	-	-	Ditto, dimpled.
Remarks	-	-	-	-	Arms and face freckled; bled right arm; scar on left shin.

(Signed) GEO. HARBROE.

Comptroller General's Office, June 28, 1853.

No. 7.

No. 7.

COPY of a DESPATCH from Lieut.-Governor Sir WM. DENISON to the Duke of NEWCASTLE.

Van Diemen's Land, Government House,
(No. 58.) April 20, 1854.

(Received August 12, 1854.)

MY LORD DUKE, (Answered No. 41, September 1, 1854, page 83.)

It is with regret that I have to report for your Grace's information that twenty convicts who had been sent to Norfolk Island from this place in the month of December by the Government barque "Lady Franklin," succeeded in effecting their escape from the vessel on their way thither, as reported by the master on his return with the "Lady Franklin," in a letter to the Deputy Commissary-General, copy of which I enclose.

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On the arrival of the vessel, I directed a strict inquiry to be made by a board appointed for that purpose, into the circumstances under which the convicts had been enabled to effect their escape, and from their report, and the evidence taken before them, it has been made evident that the master failed to give that attention to the safe custody of the convicts which he ought to have done, knowing the daring character of the great majority of those on board, as also that the guard failed to give any effective assistance.

For this remissness on the part of the master, leading as it did to the enlargement of twenty-two men under long sentences of detention, I should have directed his immediate dismissal, but as he had served the Government both with zeal and fidelity for upwards of seventeen years, and had sustained considerable pecuniary loss from the robbery of his private property by the convicts, as well as much physical suffering from the injuries he received in the resistance which he offered to them, I have deemed that the merits of the case would be met by directing that he should be severely reprimanded, and warned as to the necessity of his exercising a stricter vigilance for the future.

I have to add that I have caused the proceedings on board to be brought under the notice of the Colonel commanding, and that the non-commissioned officer in charge of the guard and three of the privates have been brought to a court-martial.

I have, &c.
(Signed) W. DENISON,
Lieut.-Governor.

The Duke of Newcastle,
&c. &c. &c.

Encl. 1 in No. 7.

Enclosure 1 in No. 7.

SIR,

Spring Bay, January 26, 1854.

IN reporting the arrival of the "Franklin" at this place, where I put in through stress of weather, it is with regret, mingled with a degree of shame, from the conduct of most on board, I have to inform you on the morning of the 28th December last the vessel was surprised and taken by the prisoners, owing to the neglect, gross carelessness, and general cowardice of the military forming the guard; and I really think the military authorities are greatly to be blamed for allowing such a lot of inexperienced soldiers to be sent on board as a guard to prisoners proceeding under sentence to Norfolk Island. I had my doubts of them from the beginning, which will clearly appear upon reviewing my letter on service from Port Arthur; in fact, my doubt was so strong that I would not have proceeded to sea with them except from knowing my refusal must lead to dismissal, as I had nothing to substantiate against them, it being merely my own feelings of their inexperience and want of knowledge of the duties of a soldier: but I did not imagine from my precaution of having the prisoners and prison searched every day, that so great risk was encountered as was afterwards proved. The serjeant and lance serjeant, from what I learn of the mate, which will afterwards appear, may be exonerated from the above charge. That, however, you will be able to judge of yourself.

What I know of the taking of the vessel is as follows:—Sometime during the middle watch I heard a noise on deck, which I thought, being just awoke from sleep, was caused by some disturbance with the military or sailors. Immediately jumped out of bed and went on deck in my shirt, when, at the top of the companion ladder, saw about five or six men, as near as I could judge, but from the darkness could not recognise them at once; cried out "What's up?" or words to that effect, then discovered that they were not soldiers but prisoners, and immediately, as loud as I could, called out "Soldiers, to your arms," for the purpose of alarming the guard below. The watch on deck I saw nothing of, expecting to be instantly supported by the military and watch of sailors; rushed towards the arms, which to the best of my belief were not then disturbed from the rack; grappled with one of the prisoners, was immediately knocked down; made another attempt, but with the same result; heard one of the prisoners say to me, "Lay quiet and we will not kill you;" felt much astonished at not being supported before this. It then struck me if I could get below I might still rouse the guard to some exertion, and yet succeed in overcoming the few prisoners on deck. As soon as I in a slight degree recovered myself, got up and made a rush for that purpose, in doing which I knocked down one of the prisoners, and was immediately knocked down again myself, from which time till I found the doctor dressing my head, saying "I shall have to put a stitch in; don't flinch," I lost all recollection. It then came back to me only for a short time, when I saw the cabin full of prisoners. I can call to my mind nothing, or very little, that occurred all that day, from, I suppose, my great loss of blood, &c, caused by about nine wounds, great and small, on my head, one on my chin, which knocked out two teeth, broke another, and loosened many, two of which still remain loose, apparently broken under the gum. I also received a wound on the breast apparently from some pointed weapon, which broke my collar bone. During some portion

of the time I was on deck—the whole period, I suppose, but short—I saw a man in his shirt on the opposite side of the deck I believed opposed to the prisoners, but who it was, from the darkness, I cannot say.

The whole of the time the vessel was in possession of the prisoners, twelve days, I was confined in the port cabin, except when allowed on deck a few days after the occurrence to take the sun, one of the prisoners being over me armed with a pistol and bayonet; not allowed to speak to any one without one of themselves being present: even the man under arms over me after a few days was not allowed to speak unless another was present, they alleging I had attempted to tamper with one of them, for which I was threatened with my brains being blown out. From my being so closely confined, I know little or nothing personally of what took place on deck, but sometime at the commencement the mate was brought down into the cabin, and in my presence threatened with having his brains blown out unless he did what they ordered him. On the 29th of December, some of the prisoners, amongst whom I recognized Davis and Mackenzie, came and demanded of me the position of the vessel, and that I should give it them from time to time, or otherwise they would murder every one on board and scuttle the ship,—if I complied with the demand and after getting to the north of Norfolk Island they would take to the boats, give up the vessel safe, and injure no one on board. I took some time to maturely consider the subject, and at last agreed to do as they demanded as soon as my arm would allow me.

This I trust will not be viewed as wrong, when it is taken into consideration the position in which I was placed, the desperate character of the men I had to deal with, and the chance there was, although slight, of falling in with some man of war from the islands, which I greatly looked for. I now declare solemnly, that my decision was not influenced by any thought of saving my own life, for I did not for one moment even believe it would be spared, except for a time, to suit their convenience, until the last day, when the man under arms was taken from over me, and myself and doctor locked up together in one of the cabins by the prisoner Griffiths, who declared he would stop to the last, and see that no attempt was made against us; from my feelings during the twelve days they had possession I cared little as far as I was myself concerned, if it was spared or not, for they were so worked upon from the conduct of the prisoners in the cabin constantly before my eyes, drinking my wine, porter, &c. eating my own provisions, dressed in my clothes, and constantly having my life threatened that it became really a burthen to me, and it was then and is now my firm belief the lives of the people and the vessel was only saved by the determination of the prisoners Davies, Griffiths, Clayton, Cooper, Twitly and Brewer, to compel the others to keep their promise, and from what I can learn, it was with great opposition from the others.

On January 8, being little wind they compelled the crew to get out the long boat, rigged and loaded her and the cutter very deep, with not less than six tons of provisions, about 6 p.m. started from the vessel, leaving on board one man only unconfined, whom they had compelled to go to the main royal mast head, threatening to shoot him if he descended to release us before they made a signal: in about half an hour or even less, he came down, released myself and doctor first, told me how things stood, and that the prisoners had fired at him coming down the mast. Immediately went on deck, had the officers and people all released, when a volley was fired from the boats without injury to any one, nor do I know that they pointed to the vessel, seeing no shots strike anywhere. I found the vessel unmanageable, decks and everything being in confusion, topsails unbent from the yards, sheets unrove. Securing the lower yards which were untrussed, the soldiers—many of them labouring under the effect of drink,—and some of the crew, with all the means in my power I proceeded to get canvass on the vessel and render her manageable, but could not do so until about 8.30 p.m., at which time the boats were nearly out of sight. I then coolly considered the practicability of being able to do anything towards recapturing the prisoners or even destroying them. Much to my regret was obliged to come to the conclusion that I could do nothing, being without arms, and the soldiers not in a fit state to support me, the only thing left in my power was running the boats down and destroying them, but the wind was too light to allow me to attempt it, as the boats from its strength could go faster than the vessel, and were nearly out of sight when she was got under proper command.

Night coming on, and from the distance the boats were off rendering it utterly impossible for me to keep them in view, not knowing where they would proceed to, being robbed by them of all my charts, the chronometer, uncertain from having been in their possession (their leaving it on board must have been forgetfulness), I concluded nothing could be done against them, and considered it best to proceed at once to Norfolk Island, which I accordingly did, keeping up to the eastward as much as the wind would allow me. During the night and next day the mate and three of the crew became wandering in their minds, and continued so for some time, in the doctor's opinion from their having drunk something which had been drugged (the medicine chest was taken with threats from the doctor at the first), and which I am told they had been compelled to drink under threats from the prisoners just previous to their leaving the vessel.

Upon examination next day, I found strewn all over the ship letters opened, papers, books, &c. which I caused to be collected together and recased. The goods in the hold were in a most wretched and dilapidated condition, the prisoners not having confined their theft to what they could take away and use, but wilfully destroyed most that they could lay their hands on, and leaving the ship without a lock to secure anything with, which obliged me for security to have the hatches all nailed down. Before they left the vessel, they brought

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down into the cabin the prisoners James Neill and E. Dowdell, whom they stated had nothing to do with the taking of the vessel, or anything afterwards, but that they were compelled; but instead of those men in my presence refusing to go in the boats, the first named said plainly he would go if they would let him, and he wished to go; the prisoner Griffiths who brought them down said he would be d—d if he should go, and they were accordingly left behind. The man Dowdell said nothing, appearing very frightened, so that he did not know what he was doing, and from what I can learn he did nothing more than compelled,—such is not the case with the first named and younger man, for, in addition to what I have stated, he can be proved by the second mate, sail-maker, and lance serjeant to have been in possession of arms, and taken a leading part on the morning after the vessel was taken. On the 12th January, being by the reckoning only 65 miles from Norfolk Island, steered there, but could see nothing of it; such being the case, the chronometer being evidently wrong, (how much impossible to say,) my arm in such a state as rendered me unable to take a lunar, the other men having no clothes but what they stood up in, the vessel, when blowing a fresh breeze, making so much water as to compel me to pump her every two hours, all the mails being destroyed except some few open letters, the private goods in the same state, the wind being fair for Hobart, blowing stiff, and wishing that no time should be lost before the occurrence was communicated to the Government, I concluded it was best to return without delay for headquarters, instead of looking out for an island, the position of which with regard to the ship was uncertain.

Upon inquiry of the mate as to what he knew of the unfortunate occurrence, I am informed:—About two a.m. of the 29th December, having been forward trimming the sails, he was standing for a few moments at the companion looking forward, when, hearing a noise, he turned round, saw some men whom he recognized as prisoners, attempted to go aft, when he was at once knocked down with a heavy blow on the shoulder with some blunt instrument; when he got up found it impossible to get into the cabin to alarm me, immediately jumped down to the steerage, alarmed the guard, got a musket, returned on deck, when they could not fire it off, as it proved to be neither capped nor loaded; was again knocked down, this time right down the hatchway over the fore braces, his hand and head being severely cut with a sharp weapon; endeavoured further to rouse the military to some exertion for regaining the vessel, but without effect; saw the lance serjeant rush on deck in his shirt with his musket and bayonet, and call upon the soldiers to follow him: proceeding himself he received a blow and came back. He, the mate, with the serjeant, endeavoured to the utmost of their power to arouse the military to make exertions for the recovery of the vessel, but with no effect, saw that they made not the slightest attempt to get on deck: he heard myself call out “What’s up?” or “What’s the matter?” and immediately afterwards shout “Soldiers, to your arms!” but cannot say at what particular part of the occurrence it happened. The after-hatch was then put over by the prisoners; called the carpenter to bring his axe to break open the door leading to the cabin; while clearing boxes away to do so heard a fall, when the carpenter said, “That’s the captain, I know him by his groan.” The prisoners then called out for them to deliver up their arms, and that they would not harm any one, but if a shot was fired they would murder every one on board; the lance serjeant calling out then, or shortly afterwards, that himself and comrades were placed on the hatch, and if they fired up they would hit them, the arms were shortly afterwards given up and every one confined. After some time was allowed up, asked to see me; he saw the doctor, and asked him how I was: told by him that he had great doubts if I should recover or not; after some little time he saw me, but I was quite insensible; had his wounds dressed, and he remained with me nearly two hours; was afterwards ordered by the prisoners to carry on the duty of the vessel as usual, or if not they would take his life. No portion of the crew was allowed on deck, except barely sufficient to manage the vessel, frequently not more than three. The second mate was awoke out of his sleep, got out of bed, and found a man with a sword at his heart, and so kept until the vessel was effectually taken. The mates endeavoured to form a plan to recapture the vessel, but could find but four men they could depend on; in consequence it could not be attempted: none the less for their endeavour being useless it was known to the prisoners the same evening, and themselves more strictly if possible watched and confined than usual: it is the opinion of the mates that such information must have been given either by the married soldier or his wife, who appeared at all times on very good terms with the prisoners, being allowed on deck when they liked, and as much wine, beer, or anything that they liked given them as they could swallow. The mates inform me, in addition to that I heard, they were constantly being threatened with the loss of their lives. Since the prisoners left the vessel the crew have vindicated themselves, with the exception of the carpenter, who was on one day seen the worse for liquor, and the next quite drunk, as well as some of the military; on both occasions, after a strict search, the second mate discovered a keg with some spirits in it: this, from what I can find out, must have been taken from the sail-locker the day before when getting out a sail, where it was most likely put by some of the prisoners before they left the vessel. For the carpenter’s offence I should have deemed it my duty to have discontinued his services, but from the vessel leaking so much when a fresh breeze, I could not dispense with him from the pumps requiring him to keep them in order. The military have shown considerable insubordination, and the serjeant declared to me, in the presence of the doctor and mate, that he had no control over them, as they cared nothing for his orders.

The method of the prisoners escaping from the main prison where I had them, but owing to the hatchway leading nearly fore and aft, it thereby giving greater command and view to the sentry, was, by what I learn, their cutting through the deck, got into the hold (how they could do so without the sentry's knowledge is a mystery to me) broke down the fore bulkhead, came aft, shifted the cargo (which was stowed up to the deck) right down to the bottom of the vessel, got under the bulkhead, and came up the after-tank hatch; from what myself and mates heard the prisoners say, they cut through the deck with a piece of tin from one of the pannicans made into a saw by a pair of scissors or shears, which they said was got from one of the soldiers, but this I do not vouch for or believe, as I consider it utterly impossible to cut through a three inch piece of gum with such an instrument, but am of opinion they must have obtained something else to effect their purpose from some one on board, but how I cannot imagine unbeknown to the sentry, the fore prisons being locked to prevent any one having communication with the prisoners without the sentry's knowledge, the one in the main hatch being never relieved from his post, for when any of the prisoners were on deck I requested of the serjeant an additional sentry to be placed forward, so that him in the main hatch should be always on his post night and day observing the conduct of the prisoners below. Before concluding I think it necessary to state, the careless manner of the soldiers doing duty was observed by myself and mate frequently, and all steps in our power taken to obviate it, and upon seeing the hole cut in the deck by which the prisoners got into the hold, and comparing it with the position occupied by the sentries in the main hatch, it becomes my firm belief that some of them must have connived with the prisoners, for I feel certain they could not have cut the hole and got into the hold without observation unless the sentries were asleep, and that for a long time, which could not have been the case, as by my orders they were constantly observed by the mate of the watch. It may be considered my opinions are strongly worded; if so, I can only say in excuse that I feel it very strongly, for I consider that I have been in a manner disgraced, robbed to a very considerable amount, and my life nearly sacrificed by the gross negligence or connivance of some of them; but I sincerely believe my opinion will not be thought unjust by any one who compares the hole with the sentry's position in the main hatch, it evidently showing, upon its exposure to view more than many other parts of the prison that the prisoners felt they had nothing to fear from the sentry's observation, which could only have been from connivance.

One of the soldiers of the watch was lost overboard during the disturbance, but whether thrown by some of the prisoners or fell in attempting to escape into the whale boat I cannot say, owing to the conflicting reports going about on the subject. The man at the helm states that he saw a prisoner, whom he recognized, pitch the soldier overboard by the bow of the whale boat, but how it was possible for him to recognize a man even that he knew at that distance during a dark night I leave others to judge.

I have, &c.
(Signed) W. WILLETT.

In addition to the statement of the mate, I am requested by him to say, that at no time did he see any portion of the watch of soldiers taking any part against the prisoners.

(Signed) W. W.

No. 8.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to the Duke of NEWCASTLE.

No. 8.

(No. 69.) Van Diemen's Land, Government House, May 10, 1854.
MY LORD DUKE, (Received August 8, 1854.)

I HAVE the honour to forward herewith the minutes of the proceedings of the Legislative Council during the early part of the present session.

I called the Council together at this early period, as your Grace will see stated in my opening speech, for the purpose of considering certain subjects of pressing importance, such as the immigration question, the increase to the salaries of the public officers, the addition to the rent of the bonded stores, and the defences of the colony.

To these subjects I shall allude in other Despatches.

I have noticed in my speech the change which must be soon made in the penal system of the colony, but as the character of this must depend in great measure upon the view taken by Her Majesty's Government of the proposition contained in my Despatch No. 19,* dated 13th February last, forwarding the report of the Comptroller-General of Convicts, for the year 1853, I trust I may be honoured with a reply to that Despatch before the close of the session, which is now adjourned to the 25th July.

* Page 6.

I have, &c.
(Signed) W. DENISON.
The Duke of Newcastle.
&c. &c. &c.

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Encl. in No. 8.

Enclosure in No. 8.

EXTRACT from the Votes and Proceedings of the Legislative Council, dated Tuesday
18th April, 1854.

No. 1.

LIEUTENANT GOVERNOR'S SPEECH.

"THE cessation of transportation will of necessity entail several important alterations in the penal system of the colony, to say nothing of the anomaly of retaining on the statute-book a punishment which is never intended to be inflicted. There is much in the details of the system of punishment, involving as it does certain relaxations or indulgences, terminating at last with a pardon conditional on leaving the colony, which renders it inapplicable to our present position.

"It would be difficult, if not impossible, to carry out two distinct systems in the same prison; and it would subject the colony to a needless expense to attempt to establish distinct places of punishment for such prisoners as it may have to coerce. I have therefore suggested to the Secretary of State the propriety of transferring the charge of all the convicts to the Colonial Government, so as to admit of the establishment of one system applicable to all prisoners. By this the difficulties originating in the apparently conflicting interests of the colony and the mother country in the disposal of the convicts will be got rid of, and arrangements can be made for turning the labour of the latter to the best account.

"I trust before the end of the session to be able to lay before the council the reply to my Despatch, and to submit a bill containing such modifications of our penal system as the change in the circumstances of the colony has rendered advisable."

No. 9.

No. 9.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to the
Duke of NEWCASTLE.

(No. 101.) Van Diemen's Land, Government House, June 15, 1854.

My LORD DUKE,

(Received October 16, 1854.)

IN my Despatch of the 1st October last, No. 209,* reporting the increase which, with the advice of the committee of officers for reviewing convict expenditure, I had sanctioned being made to the pay of the officers in the convict department, I stated to your Grace that I did not consider that that increase would be found in any degree to meet the additional charges of living consequent upon the discovery of gold, more especially in the cases of the higher classes of officers.

2. At the commencement of the present year I received a memorial from the various subordinate officers employed in the colonial service, representing the inadequacy of their pay to enable them to meet the increased prices of all the primary necessities of life.

3. This memorial I brought under the consideration of the Legislative Council, as reported in my Despatch, No. 67, dated 8th May, 1854, and, as stated in that Despatch, the council adopted the report of a select committee, recommending that an increase of 25 per cent. should be granted upon the original rate of all salaries in addition to the temporary increase that had already been sanctioned.

4. In a letter dated 10th May last, copy enclosed, the Comptroller-General brought under my notice the claims of the officers of the convict department, whose situation was, in all respects, similar to that of the colonial officers.

5. Having referred this letter to the committee of officers, they advised that the same amount of increase should be granted to the officers of the convict department as had been sanctioned by the local legislature for the officers of the colonial service.

6. The total charge upon convict funds caused by this last increase will amount to 10,527*l.* 14*s.* 5*d.* per annum. I regret that I should be thus called upon to submit for your Grace's approval so large an additional expenditure, but I can most positively assure your Grace that it is no more than what is absolutely required to meet the exigencies of the public service.

7. With regard to all the subordinate functionaries employed as overseers and constables, of whom so large a number are necessarily required for the control of the convicts, it would not be possible to obtain the services of any

* Page 73 of Papers on "Convict Discipline," presented by Her Majesty's Command, May 1854.

person of this class unless the remuneration is kept up, so as to be nearly if not wholly equivalent to what they can procure in private employment; and with regard to the higher functionaries, who might be unwilling to relinquish their claims for past services, it would not, I think, be just to endeavour to retain them by that tie at a rate of pay below that earned by officers of similar rank in the colonial service, and on which they would be wholly unable to maintain the position in which it was intended originally to place them.

8. It is not, I apprehend, necessary for me to submit detailed information as to the increase that has taken place in the several necessities of life. In the item of wages alone, passholders, whose ordinary wages some two years ago were only 10*l* a year, can now readily obtain from 30*l*. to 40*l*., and if such be the price of ordinary labour, it will, I conceive, be readily apprehended what an alteration in prices generally must have taken place.

In making this report, I think it right to add that I shall most attentively watch every opportunity for making reductions in the convict establishment, so as to bring the total amount of expenditure from British funds on such account within the narrowest limits compatible with the proper management of the convicts, for whose custody and discipline provision has been made.

I have, &c.

(Signed) W. DENISON,
Lieut.-Governor.

The Duke of Newcastle,
&c. &c. &c.

Enclosure 1 in No. 9.

Encl. 1 in No. 9.

SIR,

Steamer Derwent, May 10, 1854.

In the end of February last I had the honour to submit for your Excellency's consideration my opinion that the salaries of all the officers of the convict department should again be increased, and your Excellency then agreed with me as to the necessity for a revision of those salaries; but on the 11th March decided that the question must be contingent upon the steps taken by the Legislative Council to increase the salaries of the officers of the colony. These steps have now been taken, and I therefore again submit the matter for your Excellency's decision.

There is no want of evidence to show, that the present authorized scale is not equivalent to the increased expenditure which the officers receiving it are compelled to incur, especially for house rent, servants' wages, labour of every kind, and consequently of all that is produced by labour; indeed the necessities of life generally have been nearly trebled in price since the discovery of gold in the Australian colonies. For example, a convict's daily ration, which now costs the Government 11*d*., cost only 4*d*. in the year 1850. and that ration certainly consists of articles which may very fairly be called the primary necessities of life, and which, in greater or less quantities, are consumed by all classes of persons.

It appears that the members of the Legislative Council have unanimously voted from the funds under their legal control a further addition of twenty-five per cent to the fixed salaries of the colonial officers and thereby created a precedent for the increase to that extent of the salaries of persons paid from British funds within this colony; I must observe, however, that in my opinion the rate of per centage for the stipendiaries of the convict department should be increased more than twenty five per cent on salaries under 180*l* a year, a greater proportion of such salaries being expended on the absolute necessities of life than of those of 180*l*. and upwards. Moreover, the rise in the wages of persons in private service of corresponding classes to those receiving the lower rates of salaries in the convict department is much greater than that which has been provided for by the colonial scale.

The average rate of temporary increase according to the present authorised scale amounts to sixty-six per cent. on all salaries under 180*l* a year, and the addition of twenty-five per cent would only give a total average increase of ninety-one per cent., while it may fairly be estimated that the cost of the necessities of life has increased upwards of 170 per cent.

Under all these circumstances, I am of opinion that the reasonable claims of the holders of salaries under 180*l*. per annum would not be satisfied unless they are granted an addition equal at least to half the present authorized amount of temporary increase.

The annual cost of the additional increase for the convict department, according to the colonial scale of twenty-five per cent. on the fixed salaries, may be estimated at 10,527*l*. 14*s*. 5*d*., and a further sum of 1,519*l*. 1*s*. 10*d*. would be required if salaries under 180*l* per annum are granted half the present authorized rate.

I have, &c.

(Signed) J. S. HAMPTON.

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Enclosure 2 in No. 9.

17th May 1854.

Encl. 2 in No. 9.

THE Lieutenant-Governor having received the advice of the committee of officers approves of the same rate of increase being granted to the officers of the Convict Department as has been granted to the colonial officers, viz.: twenty-five per cent., to take effect from 1st January 1854. The same deductions on account of quarters to be made as in the case of colonial officers

(Signed) W. CHAMP.

27th May 1854.

THE Lieutenant-Governor having received the advice of the committee of officers, approves of the increase of twenty-five per cent. being granted to the officers of the Convict Department, without being chargeable with the deduction on account of quarters where the salary is under 100*l.* a year.

(Signed) W. CHAMP.

No. 10.

No. 10.

COPY of a DESPATCH from Lieut.-Governor Sir WM. DENISON to the Duke of NEWCASTLE.

(No. 106.)

Van Diemen's Land, Government House,
June 22, 1854.

(Received October 6, 1854.)

MY LORD DUKE,

(Answered, No. 66, 8th Nov. 1854, Page 84.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 23,* dated February 14, 1854, conveying to me the decision of Her Majesty's Government upon certain matters connected with the reduction of the convict department, submitted by me in my Despatch No. 154, dated 3rd July 1853.†

2. The instructions contained in this Despatch are sufficiently clear and precise, but I would wish to submit to your Grace that it would be desirable that I should be informed whether the paragraph relating to invalid lunatics, or pauper convicts be intended to cancel the instructions conveyed to me in Lord Grey's Despatch, No 200,‡ dated 23d December 1848.

3. The paragraph in question states as follows:—"Secondly. The maintenance of invalid, lunatic, or pauper convicts, and of those free men who " at the time of their arrival in the colony as convicts were above 60 years of " age; but no other free men shall be chargeable to the British Treasury."

4. Lord Grey, in the Despatch before alluded to, replied to some remarks of mine forwarded in a Despatch, No. 74,‡ dated March 17, 1848, and communicated the decision of the Lords Commissioners of the Treasury in the following words:—

" After due consideration of these papers, their lordships have agreed " that it is reasonable to relieve the colony from any further demand for the " maintenance in convict hospitals or invalid depôts of persons sent out as " convicts, who either at the time of their arrival in the colony, or when they " ceased to be employed in compulsory labour on public works, were incapacitated by age or organic disease, or mental or bodily infirmity, from supporting themselves by labour."

5. Your Grace will observe that there is a marked difference between the instructions contained in the two Despatches, that by a literal interpretation of the directions communicated to me in your Grace's Despatch, No. 23, a convict sent into hospital and maintained there for years by the Imperial Government as an invalid or lunatic, would at the expiration of his sentence become at once chargeable to the colony; that a man who, on his arrival in the colony was incapable from any cause of earning his livelihood, would, were he under sixty years of age at the date of his landing, be thrown upon the charity of the colony so soon as he became free.

6. I would therefore venture to submit that these latter instructions should not be assumed to override those contained in Lord Grey's Despatch above quoted, but be explanatory of the term *age* which is there made use of, so that the instructions would then run thus:—

* Page 91 of Papers on "Convict Discipline," presented by Her Majesty's Command, May 1854.

† Page 52, *ibid.*

‡ Pages 279 and 231 of Papers on Convict Discipline, presented to Parliament by Her Majesty's Command, February 1849.

“ The colony to be relieved from the cost of the maintenance in lunatic asylums, hospitals, or invalid depôts of persons sent out as convicts, who at the time of their arrival in the colony were above sixty years of age, or who, when they ceased to be employed on compulsory labour upon public works, were incapacitated by organic disease or mental or bodily infirmity, from supporting themselves by labour.”

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Your Grace may feel confident that no opportunity of relieving the Government from the expenses now entailed upon it by the maintenance of the Convict Establishments in Van Diemen's Land will be lost sight of by me, and I trust that the estimates for the next year, which will be forwarded soon, will prove to your Grace that every effort has been made by the Comptroller-General and myself, to reduce the strength of the department to the lowest point consistent with the maintenance of discipline among the very bad class of men now left in the hands of the Government.

I have, &c.

(Signed) W. DENISON.

The Duke of Newcastle,
&c. &c. &c.

No. 11.

No. 11.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to the Duke of NEWCASTLE.

(No. 126.)

Van Diemen's Land, Government House,
July 28, 1854.

(Received December 15, 1854.)

MY LORD DUKE,

(Answered No. 21, February 1, 1855, page 86.)

THE medical establishment attached to the convict department in this colony at present consists of four staff officers including the Deputy Inspector General of Hospitals, and ten colonial medical officers. In the course of the current financial year four medical officers will have to be reduced, and other reductions will of necessity follow in conjunction with the progressive diminution in the number of convicts.

2. Each of the colonial medical officers will be entitled on his reduction to a pension; and I think it right to bring under your Grace's consideration whether the services of the military officers should be dispensed with by withdrawing them to their own branch of the service, and the charge for pensions on account of colonial officers be thus avoided as long as possible; or whether the reductions should at once be made to take effect among the colonial officers.

3. I enclose a nominal return of the medical officers now borne on the strength of the convict medical department in this colony, with their rates of pay.

I have, &c.

(Signed) W. DENISON.

The Duke of Newcastle,
&c. &c. &c.

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Enclosure in No. 11.

Encl. in No. 11.

RETURN of all MILITARY and CIVIL MEDICAL OFFICERS now employed in the CONVICT
SERVICE, showing the Stations and Amount of Pay and Allowance.

	Salaries and Money Allowances.	Total.	Period of Service.	Remarks.
	£ s. d.	£ s. d.		
HOBART TOWN.				
<i>Deputy-Inspector of Hospitals, J. White, M.D.</i>				
Pay at 14s. per diem - - - -	255 10 0			Not joined.
Temporary increase at 130l. per annum - -	130 0 0			
Additional do. do. at 7s. per diem - - -	127 15 0			
Charge pay at 5s. per diem - - - -	91 5 0			
Lodging money at 5s. per diem - - - -	91 5 0			
Forage allowance for two horses at 6s. 4d. each, per diem - - - -	231 3 4			
Allowances in lieu of a soldier servant at 1s. 6d. a day - - - -	27 7 6	954 5 10		
<i>Staff Surgeon, 2d Class, J. Jackson - - -</i>	- - -	- - -	14 years.	
Pay at 6s. 6d. per diem - - - -	118 12 6			
Temporary increase at 100l. per annum - -	100 0 0			
Additional do. do. at 3s. 9d. per diem - -	68 8 9			
Lodging money at 3s. 2d. per diem - - -	57 15 10			
Forage allowance for one horse at 6s. 4d. per diem	115 11 8			
Allowance in lieu of a soldier servant 1s. 6d. a day	27 7 6	487 16 3		
<i>Staff Assistant Surgeon, P. Dinarty.</i>				
Pay at 3s. 6d. per diem - - - -	63 17 6			
Temporary increase at 75l. per annum - - -	75 0 0			
Additional do. do. at 1s. 10½d. per diem - -	34 4 4			
Lodging money at 2s. 6d. per diem - - -	45 12 6			
Allowance in lieu of a soldier servant 1s. 6d. a day	27 7 6	246 1 10		
<i>Colonial Surgeon, William Benson - - -</i>	- - -	- - -	20 years.	
Pay at 15s. per diem - - - -	273 15 0			
Temporary increase at 100l. per annum - -	100 0 0			
Additional do. do. at 3s. 9d. a day - - -	68 8 9			
Lodging money at 60l. per annum - - - -	60 0 0			
Forage allowance for one horse at 6s. 4d. a day -	115 11 8	617 15 5		
<i>Colonial Surgeon, F. G. Brock - - -</i>	- - -	- - -	20 years.	
Pay at 15s. a day - - - -	273 15 0			
Temporary increase at 100l. a year - - -	100 0 0			
Additional do. do. at 3s. 9d. a day - - -	68 8 9			
Lodging money - - - -	60 0 0			
Forage allowance for one horse at 6s. 4d. a day -	115 11 8	617 15 5		
<i>Colonial Assistant Surgeon Hall - - -</i>	- - -	- - -	16 years.	
Pay at 10s. a day - - - -	182 10 0			
Temporary increase at 67l. 10s. a year - -	67 10 0			
Additional do. do. at 1s. 10½d. a day - -	34 4 7			
Contingent allowance at 2s. 6d. a day - - -	45 12 6	329 17 1		
LAUNCESTON.				
<i>Colonial Assistant Surgeon Graham - - -</i>	- - -	- - -	16 years.	
Pay at 10s. a day - - - -	182 10 0			
Temporary increase at 90l. a year - - -	90 0 0			
Additional do. do. at 2s. 6d. a day - - -	45 12 6			
Contingent allowance at 2s. 6d. a day - - -	45 12 6			
Lodging money - - - -	50 0 0	413 15 0		
<i>Colonial Assistant Surgeon Everett - - -</i>	- - -	- - -	12 years.	
Pay at 10s. a day - - - -	182 10 0			
Temporary increase at 90l. a year - - -	90 0 0			
Additional do. do. at 2s. 6d. a day - - -	45 12 6			
Contingent allowance at 2s. 6d. a day - - -	45 12 6			
Lodging money - - - -	50 0 0	413 15 0		
NEW NORFOLK.				
<i>Colonial Surgeon Meyer - - -</i>	- - -	- - -	11 years.	
Pay at 15s. a day - - - -	273 15 0			
Temporary increase at 100l. a year - - -	100 0 0			
Additional do. do. at 3s. 9d. a day - - -	68 8 9			
Lodging money - - - -	60 0 0			
Forage allowance for one horse at 6s. 4d. a day -	115 11 8	617 15 5		

	Salaries and Money Allowances.	Total.	Period of Service.	Remarks.
PORT ARTHUR.				
<i>Colonial Assistant Surgeon Brownell</i>	- - -	- - -	15 years.	
Pay at 10s. a day	182 10 0			
Temporary increase at 67l. 10s. a year	67 10 0			
Additional do. do. at 1s. 10½d. a day	34 4 7			
Contingent allowance at 2s. 6d. a day	45 12 6	329 17 1		
IMPRESSION BAY.				
<i>Colonial Surgeon Seccombe</i>	- - -	- - -	26 years.	
Pay at 20s. a day	365 0 0			
Temporary increase at 82l. 10s. a year	82 10 0			
Additional do. do. at 3s. 9d. a day	68 8 9			
Forage allowance for one horse at 6s. 4d. a day	115 11 8	631 10 5		
<i>Colonial Assistant Surgeon Eckford</i>	- - -	- - -	18 years.	
Pay at 10s. a day	182 10 0			
Temporary increase at 67l. 10s. a year	67 10 0			
Additional do. do. at 1s. 10½d. a day	34 4 7			
Contingent allowance at 2s. 6d. a day	45 12 6	329 17 1		
<i>Staff Assistant Surgeon Huish</i>	- - -	- - -	10 years.	
Pay at 3s. 6d. a day	63 17 6			
Temporary increase at 56l. 5s. a year	56 5 0			
Additional do. do. at 1s. 5d. a day	25 17 1			
Contingent allowance at 2s. 6d. a day	45 12 6			
Allowance in lieu of a soldier servant 1s. 6d. a day	27 7 6	218 19 7		
<i>Colonial Assistant Surgeon Huston</i>	- - -	- - -	13 years.	
Pay at 15s. a day	273 15 0			
Temporary increase at 67l. 10s. a year	67 10 0			
Additional do. do. at 1s. 10½d. a day	34 4 7	375 9 7		

(Signed) J. JACKSON.

No. 12.

Copy of a DESPATCH from Lieut.-Governor Sir W. DENISON to the
Duke of NEWCASTLE.

No. 12.

(No. 143.) Van Diemen's Land, Government House,
August 16, 1854.

MY LORD DUKE,

(Received December 5, 1854.)

I HAVE the honour to acknowledge the receipt of a Despatch, No. 69, dated 3d May 1854,* in which your Grace, after commenting upon the amount of the estimates for convict expenditure for the present year, forwarded in my Despatch, No. 227,† dated 20th October 1853, has given directions that large reductions should be made in the expenditure for the forthcoming year, leaving it to the discretion of myself and the proper official advisers, to suggest the practical measures of retrenchment, and calling upon me to forward the estimate for the year 1855-6, at the earliest possible moment at which it can be prepared, together with a full report on the amount to which it can be reduced.

2. Your Grace has also directed, that with a view of reducing as speedily as possible, the expenditure of the British Treasury for convict purposes, the term of granting tickets of leave to all convicts not yet possessed of that indulgence, should be accelerated by at least one half of the period which they would have to serve under existing regulations, and that it may be accelerated by more should I see no just objection.

3. In obedience to your Grace's instruction, I have to report that the inclosed Gazette notices have been published with relation to the issue of indulgences to convicts, the effect of which will be to reduce very rapidly the number of those whose names are on the records of the department as convicts maintaining them-

* Page 96 of Papers on Convict Discipline, presented to Parliament by command of Her Majesty, May 1854.

† Page 83, Ibid.

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selves; the immediate operation, however, of this measure upon the expenditure of the department will be but trifling, as the men to whom the indulgences will issue are precisely those on whose account the Government incurs hardly any expense.

14th Aug. 1854.

4. As regards the estimates* for the forthcoming year, I have the honour to forward them herewith, together with a report addressed to me by the Comptroller General, showing in the clearest possible manner the extent of the reductions which it will be possible to make, consistent with the maintenance of proper discipline among the very bad class of convicts which will still remain under coercion.

5. From these documents your Grace will perceive that the actual reduction of expenditure during the year 1856, as compared with the charge for the present year, will be upwards of 72,000*l*.

6. The statements and explanations contained in the Report of the Comptroller General, are so clear and detailed as to call for but few remarks from me, and I can only express my opinion that as far as regards those branches of the department which are exclusively under the Comptroller General, no reduction beyond that which is contemplated could be made without affecting injuriously the discipline of the convicts, and thus giving rise to complaints on the part of the colonists for which there would be just foundation.

7. I quite concur with the Comptroller General in opinion that the services of a Deputy Inspector General of Hospitals can be dispensed with, and that reductions may probably be made in the medical staff without injury; and your Grace may rest assured that no effort on my part will be wanting to give effect to any such reductions as may be called for by the most rigid economy.

8. In my Despatch, No. 154,† dated 2d July 1853, I refrained from alluding to the reduction of the military force in this colony, but looking to the result of the measures which are now being carried out, and to the great reduction in the number of the convicts which will result from them in the course of 1855, I am quite prepared to recommend to your Grace that the military force now on the Island should be reduced to 300 men; 100 of whom will be required on Tasman's Peninsula to support the civil authorities in dealing with the very bad class of convicts confined at that station, and 200 at Hobart Town.

9. A reduction might also be made in the number of officers of engineers. There are at present one captain and two subalterns, whose duty it is to superintend the construction and repair of the various buildings belonging to the ordnance department as well as those at the various convict establishments. The reduction and concentration of the military force, and of the various convict establishments, will enable one officer to superintend effectively such work as it may be desirable to execute, which will of course be limited to the ordinary repairs of buildings at present in existence.

10. In the foregoing observations I have assumed that the system at present in operation is to be continued, but I would beg to refer your Grace to some remarks in my Despatch, No. 19,‡ dated 13th February 1854, relative to the transfer of the charge of all the convict establishments to the colony upon conditions which would probably lead to a considerable reduction of expenditure.

11. The estimates forwarded in your Grace's Despatch, date 19th May, marked "Separate," having shown that Her Majesty's Government is disposed to maintain a convict establishment in Western Australia, to which it is proposed to send 1,000 convicts from England during the course of the present year, I would beg to remark that the expense of two distinct establishments in the Australian colonies must very much enhance the cost of the maintenance of individual convicts; for instance, the 2,000 convicts in Western Australia cost upwards of 38*l*. per head, while the 18,000 in Van Diemen's Land cost but little more than 11*l*. per head. It would, therefore, be worthy of consideration whether arrangements might not be made for the transfer of the whole of the convicts from Norfolk Island and Port Arthur to Western Australia, the number being, say, 600 men. Should this proposition be adopted, the transfer of the charge of the remaining convicts to this colony would be very simple, and the expense of their maintenance would soon be reduced to a mere trifle.

12. I am writing in haste, in order that the estimates may be forwarded by

* An abstract only is printed of these voluminous estimates.

† Page 52 of Papers on Convict Discipline, presented to Parliament by Her Majesty's command, May 1854.

the return mail which left England in June, and which has just arrived. For this reason also I have forwarded the estimates in manuscript. I have, however, been able to comply with the instructions contained in your Grace's Despatch marked "Separate," dated 19th May 1854, relating to the mode in which the comparative statement of expenditure should be framed.

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I have, &c.
(Signed) W. DENISON.
The Duke of Newcastle,
&c. &c. &c.

Enclosure 1 in No. 12.

Encl. 1 in No. 12.

Comptroller General's Office, 18th July 1854.

The Lieutenant Governor directs it to be notified that, under instructions received from the Right Honourable the Secretary of State, male and female ticket-of-leave holders will from this date be required to serve with good conduct only half of the period for which they would have had to serve under previous regulations for a recommendation for a conditional pardon.

Ticket-of-leave holders becoming eligible under this notification for a recommendation for a conditional pardon, must send in their applications on the usual printed form to the Comptroller General of Convicts through the police magistrate of the district in which they may be resident.

(Signed) J. S. HAMPTON,
Comptroller General.

Enclosure 2 in No. 12.

Encl. 2 in No. 12.

Comptroller General's Office, 18th July 1854.

The Lieutenant Governor directs it to be notified that, under instructions received from the Right Honourable the Secretary of State, male and female passholders will from this date be required to serve only half of the period for which they would have had to serve under previous regulations for the indulgence of a ticket-of-leave.

Petitions from passholders who will thus be eligible for the indulgence of a ticket-of-leave, must be sent in on the usual printed form to the Comptroller General of Convicts through the police magistrate of the district in which they may be resident; and no application will be entertained from any passholder who has been under magisterial sentence until the completion of six months with good conduct from the date of the expiration of the last sentence.

It is also notified that, under the instructions above referred to, passholders who have no offence recorded against them since their arrival in the colony will be allowed a further deduction of one fourth of the diminished period of service for a ticket-of-leave.

(Signed) J. S. HAMPTON,
Comptroller General.

Enclosure 3 in No. 12.

Encl. 3 in No. 12.

SIR,

Comptroller General's Office, 14th August 1854.

The estimates of the expenditure for convict services in Van Diemen's Land for the years 1854-55 and 1855-56 having been prepared under peculiar and unprecedented circumstances, I deem it right, in submitting for your Excellency's approval the accompanying estimate* now completed for the latter of these two years, to make the following remarks.

The Secretary of State's despatch announcing the cessation of transportation was received at Hobart Town on the 30th of May 1853, exactly four days after the arrival of the last convict ship, the "St. Vincent;" and in less than four months afterwards the estimate for 1854-55 was prepared—an interval too brief to cause any sensible diminution in the number of convicts in the colony, or to indicate at all clearly to what extent it might be expected to operate in allowing the cost of the department to be reduced. The only course therefore which could then prudently be taken was, that I stated in my Report, dated 25th June 1853, on this subject I intended to follow, viz.:—"On every practicable occasion to abstain from recommending the filling up of any vacancy which may occur in the department, and also to bring forward for reduction stipendiaries of all classes whose services may no longer be required." Accordingly, no opportunity of effecting such reductions has been neglected. Every effort consistent with the maintenance of proper discipline having been made to diminish expense,—and, at this moment, including the 3,000*l.* ordered to be deducted from the contribution to the colony for Police and Gaols—the actual expenditure for the whole department is about 6,600*l.* less than the total amount provided in the estimate for 1854-55. Moreover, when the various reduc-

* An abstract of these voluminous estimates will be found at page 71.

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tions and changes proposed by me for your Excellency's approval during the last three months are completed, there will be a further saving of about 2,500*l*.

On the day after the receipt of the Despatch announcing that transportation had ceased, 19,175 convicts were in this colony, of whom 14,639 were earning their own livelihood, and 4,536 were maintained by Government, and no very perceptible diminution in the estimate could possibly be produced by the first year's cessation of transportation, the estimate having at all times to be principally framed in reference to the number and condition of the convicts then in the hands of the Government. The charge for two or three thousand convicts sent to the colony during a year would be comparatively very small in that year, inasmuch as they all for some time past on their arrival, with few exceptions, entered private service, and thus for the first year in the colony caused but little expense beyond that connected with the duty of keeping their registers. Under such circumstances it was estimated that about the same amount as in the year 1853-54, or 54,262*l*. 4*s*. 2*d*., would be required for salaries and money allowances for 1854-55.

Return No. 1, forwarded herewith, contains an abstract of the estimates for convict services in Van Diemen's Land for each of the seven years ending 31st March 1856, and shows that during the first six, including the current financial year 1854-55, the amount of fixed salaries and money allowances remained nearly the same, and that a reduction of 16,574*l*. 0*s*. 8*d*. under this head has been made in the estimate for 1855-56 as compared with that for the preceding year. Indeed, this is the only head under which either the nature or extent of the reductions can in any way be regulated by me; for it is obvious that, while the officers of the Government in the different Australian Colonies are voted temporary increases of salary by the respective local Legislatures, similar additions must be made to the salaries of the stipendiaries of the Convict Department; and, as the Government cannot control the cost of provisions and other articles to be purchased in Van Diemen's Land, that no diminution could be made in the large amount provided in the estimate for "contingencies,"—the increase in the value of rations of provisions; fuel, light, and forage since the gold discoveries being so great that the quantities estimated to cost the Government 57,784*l*. during the year 1855-56 could have been purchased at the prices that prevailed in 1851-52 for 17,570*l*., or 40,214*l*. less than the sum estimated for 1855-56; which, with 19,709*l*. for temporary increase of salaries, makes a difference of 59,923*l*., showing that, if prices had remained as they were in 1851-52, the estimate for 1855-56 would have been 72,630*l*. instead of 132,553*l*. as it now is, or 56,206*l*. less than the grand total of the estimate for the year ending 31st March 1850, and 44,407*l*. less than the annual average grand total of the estimate for the five years ending 31st March 1854.

It appears from Return* No. 2 that the actual decrease on the estimate for 1855-56 as compared with 1854-55 is 72,832*l*. 3*s*. 1*d*., and that Return also shows the amount of reduction under the different heads in the order in which they stand in the Abstract at the commencement of the estimate. Under the 1st of these heads, the Comptroller General's Office, and in the supervision of the Male Convict Establishments provided for in the 2d and 3d, a large amount of reduction is shown, while in the 4th there is an increase in the salaries of the Port Arthur Establishment, caused by the proposed transfer of 1 clerk and 5 constables from Norfolk Island on the final breaking up of that penal settlement, the reduction of which will cause a saving in salaries alone of about 10,000*l*.; for in the years 1853-54 the estimated cost of the salaries of the Norfolk Island Establishment was 6,322*l*. 17*s*. 6*d*. for fixed original rates only, and 1,889*l*. 15*s*. for temporary increase of those salaries, making a total of 8,212*l*. 12*s*. 6*d*.; which, with the further addition of 25 per cent. recently authorized, would have rendered the whole upwards of 10,000*l*.: and as all the convicts who under former arrangements would have been sent to Norfolk Island will be coerced at Port Arthur, the reduction under the 4th and 5th heads collectively is very considerable.

All the remaining heads of this Return exhibit a decrease, but I am of opinion that the attention of the Secretary of State should be drawn to No. 10, the Medical Department, which, as shown in the accompanying correspondence, the principal medical officer has for several years past been urged to reduce. Provision has been made for 1,199*l*. 17*s*. to be paid in 1855-56 from convict and military funds to a Deputy Inspector General of Hospitals, as principal medical officer, and I would now suggest that under existing circumstances it is not necessary to retain an officer of that rank,—a suggestion which I offer with great confidence, because the efficiency of the department has not been in any way impaired by the whole of the duty of principal medical officer having for some time past been performed by the staff surgeon acting in charge, who, I think, should be granted an allowance for performing that duty if the superior appointment is cancelled. I am also most decidedly of opinion that either the appointment of Deputy Purveyor or of Clerk to the Principal Medical Officer should be reduced.

The regulations contained in the two accompanying Gazette* notices, which were drawn up in accordance with the instructions conveyed to your Excellency in the Despatch of his Grace the Duke of Newcastle, No. 69, dated 3d May 1854, will not produce any immediate diminution in the cost of the department, seeing that if proper regard is given to discipline and to the different merits of the convicts, none but passholders earning their own livelihood in private service can be granted tickets-of-leave, and only ticket-of-leave holders who are also maintaining themselves recommended for conditional pardons; but

Sub-Enclosure 2.

* Sub-Encl. 3.

* See previous page.

nearly all now in both classes under the operation of these new regulations will be emancipated before the 31st March 1856, thereby admitting of the large decrease shown in the estimate for 1855-56, and leading also to a great diminution of expense in the year 1856-57.

On the 1st instant 10,174 convicts were earning their own livelihood in Van Diemen's Land, and 3,282 were maintained by the Government,—making a total of 13,456 convicts of all classes and both sexes in the colony; and it may, I think, be estimated that before the end of the financial year 1855-56 about 10,000 of these convicts will be granted conditional pardons or become free by lapse of time, and consequently that the total number of convicts to be provided for in Van Diemen's Land by the British Government at the commencement of the financial year 1856-57 will probably not exceed 3,500, of whom about one half will be maintaining themselves.

VAN DIEMEN'S
LAND.

His Excellency the Lieutenant Governor. I have, &c.
(Signed) J. S. HAMPTON,
Comptroller General.

Sub-Enclosure 1 to Enclosure 3 in No. 12.

ABSTRACT of the Estimated Expenditure of the Convict Service in Van Diemen's Land for the year 1855-6.

	Salaries and Money Allowances.			Temporary Increase.			Contingencies.			Grand Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
I. Comptroller General's office	4,276	1	0	2,467	1	0	-	-	-	6,743	2	0
II. Probation, punishment, and invalid stations - - -	2,094	16	0	1,617	13	6	-	-	-	3,712	9	6
III. Male prisoners' establishments - - -	2,917	5	9	2,211	4	3	-	-	-	5,128	10	0
IV. Port Arthur - - -	6,225	16	0	4,358	6	2	-	-	-	10,584	2	2
V. Female factories and infant asylum - - -	1,724	17	9	1,427	18	8	-	-	-	3,152	16	5
VI. Queen's orphan schools -	2,276	12	0	1,587	13	6	80	0	0	3,944	5	6
VII. Visiting magistrates -	648	7	0	232	2	6	-	-	-	880	9	6
VIII. Medical department -	6,458	3	0	3,636	18	4	-	-	-	10,095	1	4
IX. Marine department - -	1,590	0	0	180	0	0	-	-	-	1,770	0	0
X. Establishment for religious instruction - - -	4,980	10	0	1,708	8	2	-	-	-	6,688	18	2
XI. Retired allowances - -	1,317	0	0	-	-	-	-	-	-	1,317	0	0
XII. Ordnance and engineer services - - -	1,158	15	0	282	5	4	649	11	6	2,090	11	0
XIII. Miscellaneous - - -	2,020	0	0	-	-	-	21,995	10	0	24,015	10	0
XIV. Rations of provisions -	-	-	-	-	-	-	47,216	16	4	47,216	16	4
XV. Fuel and light - - -	-	-	-	-	-	-	8,213	9	6	8,213	9	6
	37,688	3	6	19,709	11	5	78,155	7	4	135,553	2	3
Deduct probable receipts of farm produce - - -	-	-	-	-	-	-	3,000	0	0	3,000	0	0
Totals - - -	37,688	3	6	19,709	11	5	75,155	7	4	132,553	2	3

Sub-Enclosure 2 to Enclosure 3 in No. 12.

The Estimates for Convict Services in Van Diemen's Land for Seven Years, ending the 31st of March 1856, prepared in the Colony, have been as follows:—

Year ending 31st March.	Salaries and Money Allowances.			Temporary Increase.			Contingencies.			Grand Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1850	54,669	8	9	-	-	-	74,167	7	0	128,836	15	9
1851	49,781	5	5	-	-	-	65,860	19	3	115,642	4	8
1852	46,175	17	7	-	-	-	53,984	5	6	100,160	3	1
1853	49,484	16	3	-	-	-	59,874	16	-	109,359	12	10
1854	51,996	9	8	-	-	-	79,190	3	9	131,186	13	5
1855	54,262	4	2	{ * 20,532 5 6 10,527 14 5 735 12 6 }			119,327	8	9	205,385	5	4
1856	37,688	3	6	{ 19,709 11 5 }			75,155	7	4	132,553	2	3

* EXPLANATION.
Temporary increase - - - - £20,532 5 6
Do. do. supplementary - - - - 10,527 14 5 } £31,795 12 5
Omitted in error from printed estimate - - - - 735 12 6
Comptroller General's Office, 14th August 1854. J. S. HAMPTON,
Comptroller General.

Sub-Enclosure 3 to Enclosure 3 in No. 12.—RETURN showing the Reduction made under each Head in the Estimate for Convict Service in Van Diemen's Land for the Year 1855-56, as compared with that for the Year 1854-55.

	1. Comptroller General's Office.		2. Probation Punishment, and Invalid Stations.		3. Male Prisoners Establishment.		4. Port Arthur.		5. Norfolk Island.		6. Female Hiring Depôts.		7. Female Factories and Infant Asylums.		8. Queen's Orphan Schools.		9. Visiting Magistrates.	
	1. Salaries and Money Al- lowances.		2. Temporary Increase.		3. Salaries and Money Al- lowances.		4. Temporary Increase.		5. Salaries and Money Al- lowances.		6. Temporary Increase.		7. Salaries and Money Al- lowances.		8. Temporary Increase.		9. Salaries and Money Al- lowances.	
Estimate for 1854-5.	5,832 15	0 2,367 17	6,329 5	0 1,701 10	0 4,843 18	9 2,749 7	6 5,583 10	0 2,880 15	0 3,334 10	0 1,728 5	370 195	2 6,252 4	5 0 1,558 0	0 2,552 16	6 1,318 2	6 80	761 1	6 235 12
Estimate for 1855-6.	4,276 1	0 2,467 1	0 2,094 16	0 1,617 13	6 2,917 5	9 2,211 4	3 6,225 16	0 4,358 6	2 - - -	- - -	- - -	- - -	17 91,427 18	8 2,276 12	0 1,587 13	6 80	648 7	0 232 2
Decrease	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -
Increase	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -
	10. Medical Department.		11. Marine Department.		12. Establishment for Religious Instruction.		13. Retired Allowances.		14. Ordnance and Engineer Services.		15. Miscellaneous Services.		16. Rations of Provisions.		17. Fuel and Light.		Grand Total.	
	8. Salaries and Money Al- lowances.		9. Temporary Increase.		10. Salaries and Money Al- lowances.		11. Temporary Increase.		12. Contingen- cies.		13. Salaries and Money Al- lowances.		14. Contingen- cies.		15. Contingen- cies.		Grand Total.	
Estimate for 1854-5.	7,885 11	8 8,464 10	0 4,178 10	0 120	6,365 12	6 1,693 15	0 1,429 2	9 1,378 3	0 6,303 8	0 0 3,323 2	6 27 7	6 30,545 10	0 80,666 8	8 10,997 10	1 211,385 5	4 6,000 0	205,385 5	4 Total.
Estimate for 1855-6.	6,458 3	0 3,636 18	4 1,590 0	0 180	4,980 10	0 1,708 8	2 1,317 0	0 1,158 15	0 282 5	4 649 11	6 2,020 0	- - -	21,993 10	0 47,216 16	4 8,213 9	6 135,553 2	3 3,000 0	132,553 2
Decrease	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -
Increase	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -

Showing that the Estimate for 1855-56 is less than that for 1854-55 by seventy-two thousand eight hundred and thirty-two pounds, three shillings, and one penny.

Sub-enclosure 4 to Enclosure 3 in No. 12.

VAN DIEMEN'S
LAND.

SIR,

Comptroller General's Office, June 29, 1853.

I am directed to request that you will have the goodness to furnish as soon as possible an estimate of the probable expense of the Medical Department for the year 1854-5.

2. In calling for this estimate, I am to refer to the correspondence which took place with your predecessor three years since, as to the necessity of some reduction in the expense under this head, a necessity which the cessation of transportation has now greatly increased; and as it is probable that the number of sick in the hospital will be considerably diminished, the Lieutenant Governor is desirous to be furnished with a special report from you as to whether the duties of clerk and purveyor can be amalgamated so as to admit of one of these appointments being dispensed with, and also as to what general arrangement can be made to lessen the expense of the department.

The Principal Medical Officer.

I have, &c.
(Signed) W. NAIRN.

SIR,

Principal Medical Officer's Office, July 20, 1853.

In compliance with the request contained in your letter of the 29th ultimo, I have the honour to transmit for the Lieutenant Governor's information an estimate of the probable expense of the Medical Department for the year 1854-55, amounting to 9,226*l.* 9*s.* 2*d.*, viz. 8,086*l.* 6*s.* 6*d.* on account of ordinary salaries and allowances, and 1,140*l.* 2*s.* 6*d.* on account of the temporary increase of pay.

2. In framing this estimate I have been guided in every case (Launceston excepted) by the present exigencies of the service, for although I am led to believe that the numbers of convicts employed at the various establishments will fall off very considerably before 1855, I do not learn that any of those establishments will be abandoned, and experience has proved that reductions in the strength are not followed by corresponding diminution in the numbers under medical treatment, arising from the fact that many of those holding indulgences and conditional or free pardons are thrown again upon the hands of the Government through disease or infirmities.

3. You further call upon me to report whether the duties of the purveyor and the medical clerk can be amalgamated so as to admit of one of these appointments being dispensed with, and also what general arrangements can be made to lessen the expense of the department.

4. After due inquiry and consideration I am not prepared to recommend that the appointments of purveyor and clerk be consolidated. The duties of the purveyor are not limited to the charge and issue of stores, he has the examination of the monthly accounts from the various hospitals, also of the monthly returns of free paupers and the preparation therefrom of the claim against the Colonial Government, the collection of hospital fees, the preparation of the pay lists of the department, the engagement of attendants, and many minor duties, which at present occupy him on the average six hours a day. He has no assistance beyond that of the store labourer. In New South Wales, where the duties were scarcely so onerous, the purveyor was assisted by two clerks and two store labourers, and this staff was retained almost to the final breaking up of the convict establishments.

5. In my own office one clerk is employed. There were formerly two, and this number was maintained at Sydney up to a very late period of Dr. Dawson's administration of the Medical Department. Mr. Burgess' duties are at times very laborious,—they occupy him on the average between five and six hours daily; they comprise correspondence, the examination of the professional returns from the several hospitals, and the preparation of the statistics. 1,500 communications are recorded as having been either written or received during the past twelve months, which have required copying, registry, and indexing, and these are exclusive of nearly as many more minutes and demi-official letters, which, although of minor importance have occupied much time.

6. I am, however, fully sensible of the importance of lessening the expense for this department to as low a scale as is consistent with efficiency, and I shall presently show where reductions will after a while (say within the next eighteen months or two years) be practicable, and thus a saving of upwards of 600*l.* a year be effected.

7. I would, however, in the first place call attention to the annexed statement, showing the strength of the various convict establishments on the 30th ultimo, the number of sick and the distribution of the medical staff, which affords a clear and comprehensive view of the duties which at present devolve upon the officers of this department.

7a. The establishment of the Colonial Hospital, Hobart Town, including the female invalid depôt, and the male penitentiary, is shown to consist of one staff surgeon of the second class, one staff assistant surgeon (also in charge of the medical stores, and attending the staff and departments), one colonial surgeon, one colonial assistant (house)

surgeon, one superintendent (filling the joint offices of wardmaster, steward, and clerk) two matrons, and two dispensers (one for the service of the male penitentiary). Although there are now 500 less convicts in the Hobarton establishments than there were at a corresponding period in 1851, there are only 20 less sick in hospital. The number exceeds the average for 1845 and 1846, when an additional surgeon was employed. Nevertheless it is below the daily average for 1850 and 1851, and if the admissions decrease in the same ratio during the next eighteen months, one of the medical officers might be dispensed with. In this event I would propose the withdrawal of the staff assistant surgeon, the medical stores being transferred to the deputy purveyor, subject to the supervision of the staff surgeon. Thus the spirit of the Director General's instructions in reference to the custody of these stores would be obeyed. The charge of the staff might devolve upon one of the regimental medical officers.

8. As occasion offered for further reductions, I would propose the withdrawal of the second staff assistant surgeon instead of superseding a colonial medical officer, so as to save for a while at least the charge for a retiring allowance.

9. The house surgeon has many extern duties to fulfil which prevent his exercising an effective control over the hospital servants and patients, and so long as this is the case the retention of the superintendent is indispensable. But in the course of time, I think it will be practicable to abolish the latter appointment, and to divide the duties between the house surgeon and the deputy purveyor, a portion of the purveyor's present duties being transferred to the principal medical officer's clerk. Thus a very important saving would be effected.

10. The female convict establishments at Hobart Town lie wide apart, and require to be visited daily. The duties will be sufficient to occupy the undivided attention of one surgeon for some time to come, but as soon as circumstances will admit he ought also to take charge of the male penitentiary, and thus pave the way for the reduction of the superintendent of the Colonial Hospital.

11. The establishment at Launceston consists of one colonial surgeon and one colonial assistant surgeon, who have at present full occupation. But learning that very considerable reductions will be effected in the strength of the convicts at this station, I have only estimated for one surgeon, in anticipation that the hospital (the lease of which will expire in January 1855) will be broken up. If, however, the hospital be still kept up, the reduction of the house surgeon would not be attended with any diminution of expense, as it would be necessary to appoint a superintendent to supervise the internal economy of the institution, and to perform the non-professional details. I presume there would be no difficulty in providing accommodation for the sick of the station in one or other of the convict buildings, and the only consideration remains as to the measures to be adopted for the treatment of passholders, ticket-of-leave holders, and the free paupers chargeable to colonial or convict funds, and who now form so fruitful and so profitable a source of the present admissions.

12. For the service of Ross and the outposts, one colonial assistant surgeon (who also acts as superintendent of the station) is employed, and I suppose he must be retained there until the breaking up of the establishment.

13. The Lunatic Asylum at New Norfolk is maintained on as economical a scale as is possible in the present circumstances of the colony, and as the number of insane is more likely to increase than diminish during the next four or five years, no further reductions than have already taken place can be effected.

14. A subsidiary asylum is maintained at Salt Water River, and so long as this is the case it is indispensable that there should be a resident surgeon to protect the insane from the cruelty and neglect to which in his absence they would be liable.

15. For the service of Impression Bay and Cascades Stations, two assistant surgeons are employed. As the number of invalids are likely to increase, I see no prospect of reductions being made there.

16. At Port Arthur one surgeon is employed. There are now 630 convicts at this station, with nearly 200 officers and their families, including military. Accessions are expected to the strength, and it may become necessary to appoint a second medical officer.

I have, &c.

(Signed) A. SHANKS, M.D.,

Deputy Inspector General of Hospitals, P.M.O.

The Comptroller General of Convicts,
&c. &c. &c.

STATE of the Convict Medical Establishment at Van Diemen's Land on 30th June 1853.

Establishment.	Strength.				Station.	No. of Sick.	Army Medical Staff.				Colonial Medical Staff.			Clerks.	Superintendents.	Head keepers.	Under keepers.	Dispensers.	Store Porters.	Messengers.	Gate Keepers.	Matrons.	Sub-matrons.	Head Nurses.	Remarks.
	Male.	Female.	Children.	Officers, their Wives and Families, includ- ing Military.			Dy Insp. Gen.	Staff Surgeon.	2d Class.	Staff Assistant	Med. Clerk & Actg Dy Pur- veyor.	Col. Surgeon.	Col. Assistant	Civil Practi- tioner.											
Principal Medical Officer's Office	-	-	-	-	Hobart Town	-	1	1	-	-	-	-	-	-	1	-	-	-	-	1	-	-	-	-	
Medical and Purveyor's Stores	-	-	-	-	"	-	-	1	-	-	-	-	-	-	1	-	-	-	1	-	-	-	-	-	
Colonial Hospital	-	-	-	-	"	168	-	-	-	-	-	-	-	-	-	-	-	1	-	-	2	1	-	-	
Female Infirmary	-	-	-	-	"	64	-	-	1	-	-	1	1	-	-	-	-	-	-	-	1	1	-	-	
Male Penitentiary	807	-	-	-	"	20	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	
Female House of Correction, Cascades	-	572	-	54	"	22	-	-	-	-	-	1	-	-	-	-	-	1	-	-	-	-	-	-	
Brickfields Lying-in Dépôt, and Nursery	-	134	102	-	"	13	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	
Lunatic Asylum	105	86	-	-	New Norfolk	191	-	-	-	-	-	1	-	-	1	-	4	1	-	-	1	1	1	1	
Colonial Hospital	-	-	-	-	Launceston	54	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Prisoners Barracks	132	-	-	53	"	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	1	-	-	-	
Male House of Correction	66	-	-	-	"	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Female ditto and Nursery	-	143	28	14	"	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Road party	19	-	-	-	Perth	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Probation Station	-	-	-	37	Ross	4	-	-	-	-	-	-	1	-	-	-	-	1	-	-	-	-	-	-	
Female hiring Dépôt and Nursery	-	113	27	-	"	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Probation Station	630	-	-	207	Port Arthur	27	-	-	-	-	-	1	-	-	-	-	-	1	-	-	-	-	-	-	
Probation Station and Invalid Depot	*516	-	-	185	Impression Bay	97	-	-	-	-	-	-	2	-	1	-	-	2	-	-	-	-	-	-	*325 Invalids.
Probation Station	327	-	-	63	Cascades	8	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	* 65 Lunatics.
Probation Station and Lunatic Dépôt	*182	-	-	57	Salt Water River	12	-	-	-	1	-	-	-	-	-	1	2	1	-	-	-	-	-	-	
Road parties at Dunrobin and the Gordon	100	-	-	-	Hamilton	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	

(Signed) A. SHANKS, M.D., Deputy Inspector General, P.M.O.

VAN DIEMEN'S
LAND.

SIR,

Comptroller General's Office, June 21, 1854.

I HAVE the honour to request that you will have the goodness to furnish an estimate of the probable expense of the Convict Medical Department for the year 1855-6; and in doing so, I am to refer you to the great reductions in progress throughout the Convict Department, and to state that the Lieutenant Governor has directed that every practicable reduction is to be made in the general expense of the Department under your charge.

The Principal Medical Officer.

I have, &c
(Signed) W. NAIRN.

SIR,

Principal Medical Officer's Office, July 26, 1854.

IN obedience to the request contained in your communications of the 21st and 22d ult. and of the 17th inst., I have the honor to submit for the Lieutenant Governor's consideration an estimate of the probable expense of the Convict Medical Department for the year 1855-56.

2. In the preparation thereof, every care has been taken to reduce the expenditure to the lowest scale consistent with the absolute requirements of the service, and although the total expense exceeds that of the former estimates by 1,118*l.*, arising in consequence of the heavy charges which will be incurred on account of temporary increases of pay, still the ordinary charges of the department are less by 2,368*l.*, to which may be added 546*l.* for the two staff assistant surgeons, who will continue to be borne on the establishment pending the receipt of instructions from the Right Honourable the Secretary of State. Only one of these is, however, now drawing pay.

3. The total expense is estimated at 10,344*l.* 9*s.* 5*d.*, viz. :—

For Fixed Salaries and Money Allowances, including Forage, 6,642*l.* 17*s.* 1*d.*

For Temporary and Extra-temporary Allowances, 3,701*l.* 12*s.* 4*d.*

4. The late Principal Medical Officer, in his Report, dated 20th July 1853, covering the estimates for the present year, and to which I would again invite attention, entered into lengthy details as to the duties of the various officers and servants of the department, and indicated where he thought reductions would in the course of time be practicable. Some of the changes contemplated by Dr. Shanks have already been accomplished, and others are now under consideration, which if not carried out exactly to the letter of his recommendation, will tend equally well to the interests of the service, and be accompanied by even a greater diminution of expense than he could at that time have anticipated.

5. The general department duties and the charge and issue of the medical and purveyor's stores are now performed by the deputy purveyor, and the medical clerk, under the supervision of the staff surgeon. The services of the staff assistant surgeon (formerly in charge of the medicines,) and his clerk have been dispensed with, and a saving of 237*l.* 5*s.* effected on the "ordinary charges" of the department, and a further saving of 181*l.* 17*s.* 6*d.* on the "extraordinary charges."

6. For the service of the convict establishments in Hobart Town, viz., the general hospital, the female infirmary and nursery, and the male and female houses of correction, which hitherto have found employment for one staff surgeon, two colonial surgeons, and two assistant (one staff) surgeon; only one staff surgeon, one colonial surgeon, and one assistant surgeon will be retained; and the superintendent will be superseded by an officer of an inferior description, the "Steward and Wardmaster." A saving of 668*l.* 14*s.* 2*d.* per annum will be effected on the "ordinary charges," and a further saving of 443*l.* 18*s.* 11*d.* on the "extraordinary charges."

7. But as the superintendent of the general hospital is an old servant of the Government, and would be entitled to a considerable pension on reduction, he will be transferred to the service of the lunatic asylum at New Norfolk, where the numbers of insane have increased, and the want of an active and experienced officer has of late been much felt; and the offices of the head keeper, clerk, and storekeeper will be consolidated in his person.

The saving under the head of "ordinary charges" will amount to 56*l.* 2*s.* 6*d.*, under that of "extraordinary charges" to 43*l.* 16*s.*

8. The lunatic asylum at Saltwater River will be visited by one of the medical officers at Impression Bay and a saving effected of 228*l.* 2*s.* 6*d.* "ordinary charges," and 135*l.* 12*s.* 6*d.* "extraordinary charges."

9. At Launceston, where, until recently, one surgeon and one assistant surgeon were employed, only one assistant surgeon will be retained, with a saving of 449*l.* 6*s.* 8*d.* "ordinary charges," and of 168*l.* "extraordinary charges."

10. No provision has been made in the estimate for the medical wants of the convicts at Hamilton and Ross, it being understood that the road parties employed in the Hamilton district will for the future be furnished with medical attendance and medicines at the expense of the colonial funds, and that the convict establishment at Ross will be broken up.

I have, &c.
(Signed) J. JACKSON,
Staff Surgeon, P.M.O.
2d Class.

The Comptroller General of Convicts,
&c. &c. &c.

No. 13.

VAN DIEMEN'S
LAND.

No. 13.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to the
Duke of NEWCASTLE.

Van Diemen's Land, Government House,
September 5, 1854.

(Received December 5, 1854.)

(Answered, No. 10, January 10, 1855, page 85.)

MY LORD DUKE,

I HAVE the honour to forward a Memorial addressed to your Grace by the Colonial Assistant Surgeons at present attached to the convict department in this colony, praying that as they are now about to be reduced they may be promoted to the rank, pay, and allowances of colonial surgeons, with the option of retiring with the usual pension awarded to the necessary length of service, required in that rank, when their services are no longer required in the colony, or of transferring their services elsewhere should they be required to do so.

2. I also enclose copy of the Principal Medical Officer's letter addressed to the Comptroller General transmitting the Memorial, dated 27th ultimo, in which he suggests that the memorialists should be allowed the rates of pension laid down by the Royal Warrant for retired officers of the medical staff.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) W. DENISON.

Enclosure 1 in No. 13.

Encl. 1 No. 13.

TO THE RIGHT HONOURABLE THE SECRETARY OF STATE FOR THE COLONIES.

The Memorial of the undersigned respectfully sheweth,

That your memorialists were appointed Colonial Assistant Surgeons at the dates respectively affixed to their signatures.

That they have been frequently reminded by circular and otherwise by the heads of the department that their promotion depended solely upon seniority and efficiency in their duties; but that by a despatch from the Right Honourable the Secretary of State for the Colonies, referred to in the Comptroller General of Convicts' letter to the Principal Medical Officer, dated 26th November 1852, announcing "that no more colonial surgeons were to be appointed," all hope of the reward they had justly calculated upon, on public faith, to ensue upon the long and zealous discharge of the several trusts confided to them, was cut off.

That by the average rate of promotion in the medical services of the Army, Navy, and East India Company, all the memorialists would long since have been promoted.

That in many other respects they have not had or now have equal advantages with those services.

That while your memorialists have been employed in the public service, they have been more or less necessarily precluded (from the nature and locality of their duties) from advantageously engaging in private practice, and the position which they would otherwise have occupied in the community from their seniority of standing, has been filled by younger practitioners untrammelled by the duties of the public service.

That their senior and more fortunate brethren of the medical staff, who retired or were gradually reduced years ago by the contraction of the convict service, are all, without an exception, in positions infinitely superior to their seniors—the memorialists who have continued in the public service, and who now have no chance, from the altered condition of the colony, of ever attaining the same.

That your memorialists are all men having large families to maintain, and that the unavoidable expenses consequent thereupon, and the heavy expenses entailed upon them by frequent changes of station, has rendered it next to impossible for them to lay by any provision for the future.

That the convict medical staff of this colony being now about to be reduced, your memorialists would respectfully but urgently press their just claims to be promoted forthwith to the rank, pay, and allowances of colonial surgeons, with the option of retiring with the usual pension awarded to the necessary length of service required in that rank, when their services are no longer required in this colony or its dependencies, or of transferring them elsewhere, should they be required to do so.

And your memorialists will ever pray, &c.

(Signed)	JAMES ECKFORD, M.D.	-	-	November 21, 1836.
	EDWARD S. HALL	-	-	May 1, 1839.
	HENRY GRAHAM	-	-	July 4, 1839.
	T. C. BROWNELL	-	-	September 21, 1839.
	G. F. HUSTON (per	GEORGE		
	HAWTHORN)	-	-	August 7, 1841.
	G. W. EVERETT, M.D.	-	-	July 1842.

Van Diemen's Land, July 1854.

VAN DIEMEN'S
LAND.

Enclosure 2 in No. 13.

Encl. 2 in No. 13

SIR, Principal Medical Officer's Office, July 27, 1854.

At the request of the Colonial Assistant Surgeons, I have the honour to enclose a memorial which they have addressed to the Right Honourable the Secretary of State, praying that as reductions are about to be effected in the convict medical staff, they may, in consideration of their lengthened employment under the Government, and the sacrifices they have sustained in the public service, be promoted forthwith to the rank and emoluments of full surgeons, with the option of retirement when their services are no longer required in this colony, or of being transferred elsewhere, should opportunities offer of further employment.

2. Although I apprehend that the application of the memorialists for promotion is inadmissible, nevertheless their claims to consideration are of a peculiar character, and rest upon different grounds to the claims of other officers of the convict department.

3. Many of the memorialists have spent the most valuable portion of their lives in the public service. The nature of their duties has precluded them from engaging in private practice; and in some cases, owing to their isolated positions at penal settlements, they have been absolutely prohibited from doing so. The consequence is, that the position which from their long standing in the community they would naturally have filled, has been occupied by the younger members of the profession, and their chances of success in private practice must, at their advanced period of life, be very precarious.

4. It must also be borne in mind that, about ten years since, a strictly military organization was given to the convict medical department, whereby a far greater amount of labour was imposed on the officers; in consideration of which, certain substantial advantages and expectations were held out by the Home Government, with the view of inducing zealous and talented surgeons to engage in the service and remain in it. The six senior assistant surgeons were promoted, with a scale of pay closely approximating to that of army surgeons, and a superior rate of pay was awarded to the assistant surgeons.

5. These advantages, however, were annulled by subsequent instructions from the Home Government, directing the degradation of two of the surgeons thus promoted, to make room for senior officers transferred from New South Wales, on the breaking-up of the convict establishments in that colony, and prohibiting future vacancies from being filled up. Thus the expectations which the assistant surgeons had naturally indulged in, of being promoted on the retirement of their seniors, have been destroyed.

6. Under all the circumstances I think it must be conceded that the scale of pension sanctioned by Act of Parliament for retired servants of the civil departments would be an inadequate reward for servants of this class, and I would respectfully submit for the favourable consideration of the Secretary of State that the rates of pension laid down by the Royal Warrant for retired officers of the army medical staff, to which service the duties of the colonial medical officers have so long been assimilated, would not be more than commensurate with their services and merits.

7. In conclusion, I venture to hope that the Lieutenant Governor, in transmitting the address to the Secretary of State, will be pleased to bring the claims of the memorialists to his Grace's special consideration.

I have, &c.

(Signed) J. JACKSON.

The Comptroller General of Convicts,
&c. &c. &c.Staff Surgeon, P.M.O.
2d Class.

No. 14.

No. 14.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to the
Duke of NEWCASTLE.

Van Diemen's Land, Government House,
September 8, 1854.

(Received December 5, 1854.)

(No. 160.)

MY LORD DUKE,

THE arrangements which, under instructions from your Grace, are now in operation for the reduction of the various convict establishments in the colony, will have the effect of placing at the disposal of the Government several of the buildings which are at present occupied by convicts.

2. It would be desirable that instructions should issue relative to the disposal of these buildings, when they may no longer be required by the convict department, so that no unnecessary delay may take place in either transferring the charge of them to the Colonial Government, or in disposing of them when the proper time may arrive.

3. The buildings to which I more specially allude at present are those which have been erected at Launceston and at other detached stations for the detention and discipline of male and female convicts, several of which will, in the course of the next twelve months, be vacated by the convict department.

4. There are other buildings in Hobart Town and its vicinity of a different character, such as a hospital, lunatic asylum, infirmary for aged women, &c., which will, under ordinary circumstances, be required for some years to come, but to which perhaps the same rule may apply as that which may be decided upon with regard to the buildings first mentioned.

5. This rule, I would submit, may with justice to the mother country and the colony be stated as follows:—

Buildings which have been erected by the convict department for the detention and discipline of male and female convicts, or for any purposes connected therewith, shall, should they be required by the colony for similar purposes, be transferred to the charge of the colonial government—such stores and implements as may be required being paid for by the colony at a price to be arranged between the commissariat and the local government.

Such buildings as may not be required for the service of the colonial government shall be sold, and the proceeds appropriated as follows:—The value of the land on which the buildings are placed to be carried to the credit of the land fund, while that of the buildings themselves shall be paid into the military chest.

The Duke of Newcastle,
&c. &c. &c.

I have, &c.
(Signed) W. DENISON.

No. 15.

No. 15.

COPY of a DESPATCH from Lieut.-Governor Sir W. DENISON to the Right Hon.
Sir GEORGE GREY, Bart.

Van Diemen's Land, Government House,
(No. 2.) September 12, 1854.

(Received December 5, 1854.)

SIR, (Answered No. 17, January 24, 1855, p. 86.)

I HAVE the honour to forward for your consideration copy of a communication received from the Colonial Secretary at Victoria, in which, when notifying the transmission of eleven prisoners from Victoria who had been identified as convicts illegally at large from this colony, Sir Charles Hotham expresses his trust that the cost of the transmission of these convicts will be borne by the Government of Tasmania.

2. The prisoners referred to are, as stated, convicts who have absconded from this colony, and who are held under sentences passed upon them in the United Kingdom. No funds could be obtained from the Legislative Council to defray the charges connected with such convicts, and I have therefore now to submit for your decision whether the cost of their transmission should be defrayed from convict funds, or whether it should be left as a charge upon the Government of Victoria.

The Right Hon. Sir George Grey, Bart.
&c. &c. &c.

I have, &c.
(Signed) W. DENISON.

Enclosure in No. 15.

Encl. in No. 15.

SIR,

Colonial Secretary's Office, Melbourne,
July 31, 1854.

James Maloney, alias
Quin.
Henry Greenwood.
James Duffy.

By command of his Excellency Lieutenant Governor Sir Charles Hotham, I have the honour to forward to you herewith the eleven prisoners named in the margin, who have been identified as runaway convicts from Van Diemen's Land.

VAN DIEMEN'S
LAND.

George Hopkins, alias
Doust.
James Sheedy.
John Miller, alias
McMellon.
Frederick Gray, alias
Spencer.
John McSweeney.
James Baker.
John Fagan.
Thomas Jones, alias
Gough.

2. The prisoners have been convicted under the provisions of a certain Act of the colony of Victoria, as convicts illegally at large from Van Diemen's Land, and sentenced to various terms of imprisonment.

3. As the offences for which these men were originally convicted are more heinous than their infringement of the local act of this colony, his Excellency has deemed it advisable to pardon them for the breach of the Convicts Prevention Act, on condition that they be handed over to the authorities of Van Diemen's Land, and do not return to this colony; the pardons granted to them will be handed to you by the officer of police in charge of the escort with this letter.

4. His Excellency the Lieutenant Governor trusts that the government of Tasmania will feel that the expense of transmitting these prisoners should be borne by that colony.

The Hon. the Colonial Secretary,
Van Diemen's Land.

I have, &c.
(Signed) JOHN FOSTER.

Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Duke of NEWCASTLE to Lieut.-Governor
Sir W. DENISON.

(No. 72.)

SIR,

Downing Street, May 8, 1854.

I HAVE to acknowledge the receipt of your Despatch,* No. 264, of the 1st of December last, transmitting two letters addressed to me by Mr. Dry, the Speaker of the Legislative Council of Van Diemen's Land, together with an address to the Queen, signed by Mr. Dry, in his capacity of chairman of the meeting at which it was agreed upon, containing expressions of gratitude for the abolition of transportation to the colony, and of attachment and loyalty to Her Majesty's crown and person. * Page 3.

You will inform Mr. Dry that I have laid this address before the Queen, who was pleased to receive it very graciously.

You appear to me to have fully justified the course which you took in refusing to shut up the public offices on the day of rejoicing on the abolition of transportation to the colony.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

I am, &c.
(Signed) NEWCASTLE.

No. 2.

No. 2.

COPY of a DESPATCH from the Duke of NEWCASTLE to Lieut.-Governor
Sir W. DENISON.

(No. 74.)

SIR,

Downing Street, May 10, 1854.

I HAVE received your Despatch, No. 274*, of the 12th of December last, in which you enclose applications from two convicts to have their wives and families sent out to them at the public expense; and you recommend, in consequence of the instruction which has reached you, to discontinue such recommendations for the future, that the expense of forwarding these parties should be defrayed from the funds belonging to the colony. * Page 6.

You have already been informed by my Despatch, No. 192,† of the 27th of December last, that, on a re-consideration of the subject, Her Majesty's Government had determined for the present to permit of a recurrence to the practice of allowing deserving convicts in Van Diemen's Land to be joined by their wives and families, sent out by the Government, and you were authorized, under certain restrictions, to recommend them for the boon in question.

The Emigration Commissioners will accordingly be directed to send out these families under the old arrangement.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

I am, &c.
(Signed) NEWCASTLE.

† Page 89 of Papers on "Convict Discipline" presented by Her Majesty's Command, May 1854.

VAN DIEMEN'S
LAND.

No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to Lieut.-Governor Sir W. DENISON.

(No. 4.)

SIR,

Downing Street, June 27, 1854.

* Page 54.

I HAVE to acknowledge your Despatch, No. 30* of 15th March last, reporting proceedings had in Victoria against certain holders of conditional pardons, and I transmit to you copy of a Despatch which I have addressed to Sir C. Hotham thereupon.

I have, &c.

(Signed) G. GREY.

No. 2.

June 24, 1854.
See page 96.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

No. 4.

No. 4.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to Lieut.-Governor Sir W. DENISON.

(No. 19.)

SIR,

Downing Street, July 21, 1854.

* Page 1.

June 20, 1854.

WITH reference to your Despatch No. 188,* of 10th September 1853, relative to the disposal of the convicts' earnings in Van Diemen's Land, I enclose the extract of a report on the subject from the Commissioners of Audit, and I have to instruct you to carry into effect the suggestions made by the Board of Audit.

I have, &c.

(Signed) G. GREY.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

Encl. in No. 4.

Enclosure in No. 4.

Extract of a Report from the Commissioners of Audit to the Lords Commissioners of Her Majesty's Treasury; dated Audit Office, Somerset House, 22d June 1854.

"In our Report above referred to, we suggested that we should be furnished with certain statements showing—

"1st. The amounts received by the Comptroller General for monies due to convicts arriving from England or other places where there are convict establishments.

"2d. The amount of sums paid into the savings banks as private wages of protection passholders by their employers in the colony.

"3d. The amount paid as private wages to convicts who have at the stage when such wages may be paid to them and the amount forfeited to the Crown and paid into the commissariat chest.

"By the documents which accompany the letter now referred to us, it would seem that the attention of the Governor of Van Diemen's Land has only been called to the remittances from England, with respect to which it is stated by him that all the monies so coming into the hands of the Comptroller General are paid into a public account, kept by that officer at the Union Bank of Australia, and that receipts are always taken from the convicts when payments are made to them; there appears consequently to be no difficulty in our being furnished with the statements proposed by us: indeed, the Returns which accompany the Despatch (extending to 31st August 1853) with the addition of a column for sums becoming forfeited or otherwise reverting to the Crown (which should be paid into the commissariat chest) would meet the object we have in view; and we would therefore submit to your Lordships whether the Governor should not be directed to give instructions that such a Return should be prepared, and submitted for his inspection at the end of every half year (the first Return being made to embrace the period from 1st September 1853) and then to be handed over to the commissariat officer as a document to be annexed to his account for convict service, and we would further submit that the same Returns should be made to include the sums paid into the savings banks by the employers of convicts, and

"to shew the application of them, by the Comptroller General, the Governor's certificates being appended to these Returns to the effect that the detailed vouchers had been submitted to him as we have already suggested in our Report of the 14th February 1853."

VAN DIEMEN'S
LAND.

No. 5.

No. 5.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to Lieut.-Governor Sir W. DENISON.

(No. 41.)

SIR,

Downing Street, September 1, 1854.

I HAVE received your Despatch* No. 58, of the 20th of April last, reporting the seizure, by certain convicts on board, of the Government barque "Lady Franklin," while on her way to Norfolk Island, and the subsequent escape of these prisoners.

* Page 57.

I regret that you did not send home the report of the Board which was appointed to inquire into the circumstances connected with this proceeding, as it is impossible, in the absence of it, to arrive at a just conclusion as to the persons who are principally to blame for the want of ordinary precaution, which appears to have led to the outrage in question; neither do I gather from your Despatch whether any steps were taken, either by informing the commander of any vessel of war which might be in the neighbourhood, or otherwise, for the recapture of these convicts.

I should wish to receive from you some explanation of the reasons which led to your sending convicts to Norfolk Island so late as December last, after the correspondence which has taken place on the subject, and from which I had supposed that no addition would be made to the number there, although obstacles existed to the immediate removal of those who remained there.

In my Despatch, No. 1, of the 2d of January last, I instructed you to relieve this country as soon as possible from the charge of the "Lady Franklin," and I hope to hear that you have already taken steps for that purpose.

I have, &c.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

(Signed) G. GREY.

No. 6.

No. 6.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Lieut.-Governor Sir W. DENISON.

(No. 44.)

SIR,

Downing Street, September 4, 1854.

IN your Despatch,* No. 19, of February 13, 1854, accompanied by the annual reports of the Comptroller General of Convicts for the year 1853, you proposed that an immediate arrangement should be made between the Government of this country and that of Van Diemen's Land, for the transference to the latter of all the convicts who are undergoing sentence of transportation in the colony; and in compliance with the wish expressed in your subsequent Despatch just received, of the 10th May, No. 69,* that you might be informed as soon as possible whether that proposal met with the concurrence of Her Majesty's Government. I take the first opportunity of informing you that the numbers and charge of the convicts are too considerable to admit of the extensive change which you contemplated being at once adopted. The discharges during the next two years will certainly cause a large diminution of the numbers, but even then, when you have reckoned that there will still be from eight to nine thousand convicts, it may be doubted, whether the Imperial Government

* Page 6.

* Page 61.

VAN DIEMEN'S
LAND.

could properly divest itself of the responsibility of their control and management.

Such a measure, however, may hereafter be practicable, and it will facilitate its adoption at the proper time if I am put in possession of a more full report of your views respecting it, together with such an estimate as you may be able to form of the rate of charge per head which the local government would require to be paid from imperial funds.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
(No. 66.) Lieutenant-Governor Sir W. DENISON.

SIR,

Downing Street, November 8, 1854.

* Page 64.

I HAVE received your Despatch, No. 106*, of the 22d June, requesting, with reference to my predecessor's Despatch, No. 23† of the 14th February last, that you may receive some fuller explanation of the views of Her Majesty's Government with regard to the funds to be charged with the maintenance of invalid lunatic or pauper convicts.

In reply, I have to inform you that it was not intended by the Duke of Newcastle, in the paragraph of his Despatch to which you advert, to cancel the instructions on this head conveyed to you by Lord Grey's Despatch of the 23d December 1848.

It was the intention of his Grace to sanction the proposal on this head submitted in your Despatch, No. 154 ‡ of the 2d July 1853, being the same that with a slight alteration of which I have to express my approval, you have again recommended in your Despatch now under notice.

You will accordingly be at liberty to act in conformity with this decision.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

No. 8.

No. 8.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Lieut.-Governor Sir H. YOUNG.

(No. 13.)

SIR,

Downing Street, December 4, 1854.

WITH reference to the Duke of Newcastle's Despatch to your predecessor, No. 181, § of the 9th December 1853, apprising him that a vessel would be provided towards the end of present year for the removal of the Pitcairn Islanders to Norfolk Island, I transmit to you for your information the copy of a letter from the Foreign Office stating that this information had been communicated to the Pitcairn Islanders by Her Majesty's Consul at the Society Islands.

But upon the receipt of Sir William Denison's Despatch, No. 215, || of the 11th October 1853, transmitting an appeal against the removal of the convicts who still remained at Norfolk Island, the intention of sending a ship for the Pitcairn Islanders was postponed, and Her Majesty's Consul at the Society

† Page 91, ‡ Page 52, of Papers on Convict Discipline, presented to Parliament by Her Majesty's Command, May 1854.

§ Page 88, || Page 75, of the same Papers.

Nov. 15, 1854.

Islands was so informed. No further steps will be taken for the transfer of the Pitcairn Islanders until I shall receive a report from you that, in pursuance of the directions conveyed to Sir William Denison by the Duke of Newcastle in his Grace's Despatch, No. 48,* of the 30th March last, all the convicts remaining in Norfolk Island have been finally removed.

VAN DIEMEN'S
LAND.

Lieut.-Governor Sir H. Young,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

Enclosure in No. 8.

Encl. in No. 8.

SIR,

Foreign Office, November 15, 1854.

WITH reference to your letter of the 10th of December last, I am directed by the Earl of Clarendon to transmit to you, to be laid before Secretary Sir George Grey, the accompanying copy of a Despatch from Mr. Toup Nicolas, Her Majesty's Consul in the Society Islands, enclosing a copy of a letter addressed by him to the Pitcairn Islanders, informing them that a vessel would call off that island at the close of the present year for the purpose of removing them to Norfolk Island.

No. 9.
July 10, 1854.

I am at the same time to request you will observe to Sir George Grey that at the time Mr. Nicolas addressed his letter to the Pitcairn Islanders it would appear that he had not received a despatch addressed to him from this department on the 12th of May last, acquainting him in accordance with the contents of the Colonial Office letter of the 6th of last April that Norfolk Island would not be available for the Pitcairn Islanders as soon as he had at first been led to expect.

Herman Merivale, Esq.,
&c. &c. &c.

I have, &c.,
(Signed) WODEHOUSE.

Sub-Enclosure to Enclosure in No. 8.

MY LORD,

Raiatea, July 10, 1854.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch No. 4, dated December 16, 1853, instructing me to communicate to the inhabitants of Pitcairn's Island, that Her Majesty's Government had consented to their removal to Norfolk Island.

I have the honour herewith to enclose a copy of the letter addressed by me to the Pitcairn Islanders.

This letter I have forwarded in duplicate, in order that the first opportunity for Pitcairn's Island may be taken either from Tahiti or Valparaiso.

The Earl of Clarendon,
&c. &c. &c.

I have, &c.,
(Signed) B. TOUP NICOLAS.

To the Pitcairn Islanders.

MY DEAR FRIENDS,

Raiatea, July 5, 1854.

IN accordance with your wishes conveyed to me through your late lamented chief magistrate Matthew McCoy, I addressed the Earl of Malmesbury on the subject of your removal, either wholly or in part, to Norfolk Island, provided the Government would consent to cede it to you.

I have received a despatch from the Earl of Clarendon, the present Secretary of State for Foreign Affairs, who instructs me to make known to you that his Lordship has been informed by the Duke of Newcastle, the Secretary of State for the Colonies, that Norfolk Island will be available for the settlement of the Pitcairn Islanders, or as many as will remove thither, by the end of the year 1854. Her Majesty's Government will also take measures to provide a vessel which shall call off Pitcairn's Island towards the close of that year for the purpose of removing the people to Norfolk Island.

While communicating this intelligence to you I am at the same time to acquaint you that you will be pleased to understand that Norfolk Island cannot be "ceded" to the Pitcairn Islanders, but that grants will be made of allotments of land to the different

* Page 93, of Papers on Convict Discipline, presented to Parliament by Her Majesty's Command, May 1854.

VAN DIEMEN'S
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families, and I am desired further to make known to you that it is not at present intended to allow any other class of settlers to reside or occupy land on the island.

To those who avail themselves of the opportunity of settling in Norfolk Island I would offer my warmest wishes for their welfare in their new home, accompanied by a hope and a belief that they will take with them and retain that sterling principle and noble simplicity which have caused the Pitcairn Islanders to be so cared for by England.

To those who remain, should there be any who do so, I would offer wishes as heartfelt as to those of their brethren who are about to depart, with a hope that the community at Pitcairn's Island will long continue to lead that life so primitively good, so deservedly happy, which it was my good fortune to witness during my week's pleasant sojourn amongst them.

Believe me, &c.,
(Signed) B. TOUP NICOLAS.

No. 9.

No. 9.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Lieut.-Governor Sir H. YOUNG.

(No. 10.)

SIR,

Downing Street, January 10, 1855.

* Page 77.

I HAVE received Sir W. Denison's Despatch, *No. 155, of the 5th of September last, accompanied by a memorial from the colonial assistant surgeons at present attached to the Convict Department, praying that they may be promoted to the rank of full surgeons, with a view to their enjoying a higher pension in the event which is expected of their services being dispensed with. I regret that this is a request to which I do not feel that I should be warranted in acceding.

Neither should I be justified in adopting the suggestion of the principal medical officer, that the colonial assistant surgeons might be allowed the rates of pension laid down by Royal Warrant for retired officers of the army medical service. Whenever the time may come for reducing colonial assistant surgeons attached to the Convict Department, their cases can only be dealt with under the general rule, applicable to the whole civil service.

Lieut.-Governor Sir H. Young,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

No. 10.

No. 10.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Lieut.-Governor Sir H. YOUNG.

(No. 17.)

SIR,

Downing Street, January 24, 1855.

* Page 79.

I HAVE received your predecessor's Despatch, No. 2,* of the 12th of September last, respecting the cost incurred by the Government of Victoria for sending back eleven convicts who had absconded from Van Diemens Land.

Having referred the question to the Lords Commissioners of the Treasury, I have to acquaint you that their Lordships are of opinion that these expenses are properly chargeable against the sum contributed by this country to Van Diemen's Land for police and gaols, and that therefore they do not consider themselves at liberty to authorize the payment out of convict funds.

Lieut.-Governor Sir H. Young,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

No. 11.

COPY of a DESPATCH from the Right Hon. Sir G. GREY, Bart., to
Lieut.-Governor Sir H. YOUNG.

(No. 21.)

SIR,

Downing Street, February 1, 1855.

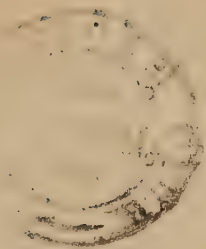
I HAVE to acknowledge the receipt of Sir William Denison's Despatch, No. 126,* of the 28th July, reporting that four surgeons will have to be reduced in the course of the year in the Convict Department, and inquiring whether these reductions should be made from among the colonial or army surgeons, of whom the medical department of the convict service consists.

* Page 65.

Having communicated with the Duke of Newcastle, his Grace concurs with me in opinion that in effecting any such reductions it will be advisable that selections for the purpose should be made preferably from the army surgeons, and his Grace will instruct the Director General of the Army Medical Board to make arrangements for the withdrawal, with a view, if possible, to their employment elsewhere, of any army surgeons so selected for reduction in Van Diemen's Land, and for whom no sufficient occupation in their own branch of the service can be found which would warrant their detention in the colony.

Lieut.-Governor Sir H. Young,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.



NEW SOUTH WALES.

NEW SOUTH
WALES.

Despatches from Governor General Sir C. A. FitzRoy.

No. 1.

No. 1.

COPY of a DESPATCH from Governor General Sir C. A. FITZROY to
the Duke of NEWCASTLE.

(No. 55.)

Government House, Sydney, May 19, 1854.

(Received August 8, 1854.)

(Answered No. 32, August 25, 1854. Page 94.)

MY LORD DUKE,

13th April 1854.

AT the request of the Executive Board of the Australian Anti-Transportation League, I have the honour to forward the accompanying letter addressed to your Grace by Mr. Charles Cowper, announcing the dissolution of that society.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) C. A. FITZROY.

Encl. 1 in No. 1.

Enclosure 1 in No. 1.

MY LORD DUKE,

Sydney, April 13, 1854.

I DO myself the honour to enclose a copy of the proclamation announcing the dissolution of "The Australian Anti-Transportation League."

This association was formed in the year 1851, engagements being then entered into between the colonies of New South Wales, Victoria, Tasmania, and South Australia, having for their object the cessation of transportation to the colonies.

Throughout the Australias the policy of the British Government in peopling them with criminals was denounced, and the response of Great Britain was cordial and fraternal, but it was reserved for your Grace to consummate our hopes, and to answer our prayers by the revocation of the Order in Council.

The spirit in which this concession has been made conveys the assurance that under the administration of colonial affairs by your Grace, those injuries of which the colonies have so long complained will be redressed; and in respectfully offering the expression of our gratitude to your Grace, and of our warm attachment to the person and government of the Queen's most Excellent Majesty,

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) CHARLES COWPER,
Late President of the Australasian
Anti-Transportation League

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

AUSTRALASIAN LEAGUE.

WHEREAS, in the year 1851, the colonists of New South Wales, Victoria, Van Diemen's Land, and South Australia formed a league called "The Australian Anti-Transportation League," to secure the cessation of transportation to these colonies, and it was provided that the said league should be dissolved and its dissolution be proclaimed by the president upon the revocation of the order made by the Queen's most Excellent Majesty, with the advice of Her Privy Council, on the 4th day of September 1848, by which New South Wales, Van Diemen's Land, and Norfolk Island, together with the dependencies comprised under the governments of the said colonies respectively, were appointed places to which felons and other offenders under sentence of transportation should be conveyed: And whereas, by an Order made by Her Majesty, with the advice of Her Privy Council, on the 25th June 1851, Her Majesty was pleased to revoke so much of the said Order as concerned New South Wales and its dependencies: And whereas, by a certain other order made by Her Majesty, with the advice of Her Privy Council, on the 29th day of December 1853, Her Majesty was pleased to revoke so much of the said

Order in Council on the 4th day of September 1848 as remained in force after the date of the said Order of the 25th June, 1851: Now, therefore, I, Charles Cowper, Esquire, President of the Australasian Anti-Transportation League, in pursuance of the authority in that behalf in me vested, and by the direction of the Executive Board, do hereby declare and proclaim "The Australasian Anti-Transportation League" to be dissolved, and the same is hereby dissolved accordingly.

NEW SOUTH
WALES.

As witness my hand, this 6th day of April, 1854.

(Signed)

CHARLES COWPER,
President of the League.

No. 2.

No. 2.

COPY of a DESPATCH from Governor General Sir C. A. FITZROY to
the Right Hon. Sir GEORGE GREY, Bart.

(No. 137.) Government House, Sydney, September 16, 1854.

(Received December 5, 1854.)

SIR, (Answered No. 10, January 15, 1855, p. 94.)

I HAVE the honour to acknowledge the receipt of the Duke of Newcastle's Despatch, No. 36,* of the 14th April last, on the subject of the proposed reduction of the Convict Department in this colony.

2. Having communicated the contents of this Despatch to the Principal Superintendent of Convicts for his information and guidance, and in order that he might submit any observations or proposals which he might deem necessary for giving effect to the instructions therein conveyed to me, I beg to transmit a copy of that officer's reply, and to report that I have approved of the suggestions offered in the first paragraph, "that all convicts who have now held tickets of leave for six months should be permitted to petition for conditional pardons."

August 10, 1854.

3. With respect to the statement of the principal superintendent, that before the arrangements for facilitating the issue of conditional pardons can be fully carried out, it will be necessary to repeal the Act of Parliament 7 & 8 Geo. IV, cap. 28, and the 34th section of the Act 3 William IV., No. 3, and the first section of the Act 4 Vict. No. 10, I am informed by the Crown law officers that "no necessity exists for repealing these Acts, and that the proposed conditional pardons will be operative to all intents and purposes "without such repeal."

4. I have also to state that I have caused a notice to be issued to the effect that the repayment of the passage money by the convicts who arrived with tickets of leave in 1849 and 1850 is no longer required.

5. I have only now to call your attention to a serious mistake which I regret to say, occurred in my Despatch, No. 120, of the 30th September 1853, with respect to the period at which the services of the principal superintendent and chief clerk might be dispensed with. I find that I therein proposed that the services of those officers should terminate at the end of the present year, instead of, as I had fully intended to propose, the end of 1855, as will be seen by a reference to a previous portion of my Despatch. I can only account for this mistake by stating that it arose with Captain Maclean himself, in having furnished me with a memorandum which contained the exact words which were copied into my Despatch, and which, I am sorry to say, escaped my observation in reading it over before I signed it. I trust, however, that Captain Maclean's explanation in his letter, of which I now enclose the copy, will be considered to afford sufficient reasons for allowing the mistake to be rectified, and for permitting him and the chief clerk to retain their respective offices until the end of 1855.

See par. 4.

I have, &c.

The Right Hon. Sir George Grey, Bart., (Signed) C. A. FITZROY.
&c. &c. &c.

NEW SOUTH
WALES.

Encl. in No. 2.

Enclosure in No. 2.

Principal Superintendent of Convict's Office, Sydney,
August 10, 1854.

SIR,

I HAVE the honour to acknowledge the receipt of your letter, No. 134, dated the 4th instant, transmitting for my information and guidance a copy of a Despatch addressed to the Governor General by his Grace the Secretary of State for the Colonies, relative to the granting of conditional pardons, the transfer to the colony at the end of the year 1855 of the Convict Establishment and the Parramatta Lunatic and Invalid Establishment, and to the reduction of this department, in the persons of myself and my chief clerk, at the end of the present year; and in accordance with your request, I beg to submit for the consideration of his Excellency the following observations and proposals for carrying out the instructions of the Secretary of State:—

1. The term of probation to be served by ticket-of-leave holders for conditional pardons having been reduced to one year—the half of the period at present served for that indulgence, I would suggest, in order to meet the views expressed in the Despatch under notice, that all convicts who have now held tickets of leave for six months should be permitted to petition for conditional pardons, according to the form and in the manner at present observed in applying for the indulgence by the adoption of this course; the authority for issuing the pardons might be received from England at or about the time the ticket-of-leave probation of twelve months would expire.

2. Before the instructions of the Secretary of State can be carried out, with respect to cumulative sentences, it will be necessary to obtain a repeal of the Act of Parliament, 7 & 8 Geo. 4. cap. 28., dated 21st June 1827; by which Act the home sentence of transportation passed upon a convict remains in abeyance during the period that he is labouring under a colonial sentence, such as is passed by the Supreme Court or Court of Quarter Sessions. In like manner the 34th section of the Act of the Legislative Council of New South Wales, No. 3, Will. 4., dated the 24th August 1832, as well as the 1st section of 4 Vict., No. 10, dated 1st September 1840, which renders a convict liable to serve the time he may be at large, in addition to his original sentence, will also require to be rescinded.

3. The repayment of the passage money by the convicts who arrived with tickets of leave in the years 1849 and 1850 being now unnecessary, it will be desirable to publish a notice to that effect in the Government Gazette and the Sydney Morning Herald, as also of the reduced period of probation for applying for conditional pardons.

4. With respect to the concluding paragraph of the Despatch alluded to, dispensing with the services of myself and my chief clerk at the end of the present year, I beg to point out that it appears an error or misapprehension has arisen with regard to the proposal made by me for the termination of my services and those of my chief clerk, as it was not my intention to recommend that such should take place previous to the date at which the remnant of the Imperial convicts were to be handed over to the Colonial Government. To carry out effectually the views of the Secretary of State, the services of my chief clerk and myself would be more urgently required during the year 1855 than even during the current year, caused principally from the circumstance that the great majority of ticket-of-leave holders under the reduced probation are at this moment eligible to petition for conditional pardons. The abolition of making colonial sentences cumulative will at once occasion a considerable increase of duty in issuing certificates of freedom, besides which a great amount of correspondence may reasonably be expected to arise towards the final disposal of the establishment. Further, upon the subject of reducing my department, I would beg of you to invite the attention of his Excellency the Governor General to the fourth paragraph of my letter addressed to you on the 23d August 1853, No. 75, in which I stated that an estimate had been forwarded to the Assistant Commissary General of the probable expense of my establishment for the years 1854 and 1855, and that I had estimated for one clerk only, besides my chief clerk, thereby effecting a reduction of the clerical strength of the department.

5. Under the circumstances particularly detailed in the preceding paragraph, I think it will appear clear to his Excellency that I contemplated retaining the present strength of my office until the end of the year 1855.

The Hon. the Colonial Secretary,
&c. &c. &c.

I have, &c.
(Signed) J. McLEAN.

No. 3.

No. 3.

COPY of a DESPATCH from Governor General Sir C. A. FITZROY to
the Right Hon. Sir GEORGE GREY, Bart.

(No. 149.)

Government House, Sydney, October 29, 1854.

SIR,

(Received January 30, 1855.)

I HAVE the honour to forward the copy of an address presented to me by the Legislative Council of this colony, requesting me to recommend for the

gracious consideration of Her Majesty the expediency of authorizing the Governor of this colony to grant, in Her Majesty's name, absolute pardons to such persons as now hold conditional pardons.

2. The Council express their opinion that it is desirable that every vestige of the former penal system of New South Wales should be effaced at the earliest possible moment; and that there are many persons now in the colony free by servitude under sentences passed upon them in the United Kingdom, under rigorous and now repealed statutes, who, by industry, perseverance, and upright conduct, have gained for themselves and their families the respect and esteem of all, and who are desirous of being allowed to revisit their native land.

3. Although I have felt it to be my duty to discourage applications for absolute pardons as much as possible, in consequence of the unfavourable manner in which those which I have occasionally been obliged to forward to the Secretary of State for the Colonies have been received; yet, while I concur in the opinion expressed by the Legislative Council in this address, I venture to recommend their request to the favourable consideration of Her Majesty's Government.

I have, &c.

The Right Hon. Sir George Grey, Bart., (Signed) C. A. FITZROY.
&c. &c. &c.

Enclosure in No. 3.

Encl. in No. 3.

To his Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australasian Possessions and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c. &c. &c.

May it please your Excellency,

WE, Her Majesty's most dutiful and loyal subjects, the members of the Legislative Council of New South Wales, in Council assembled, beg respectfully to communicate to your Excellency the following Resolutions adopted this day by the Council, and to request that your Excellency will be pleased in accordance with the fifth of them to submit the same to the Secretary of State for the Colonies, and to recommend for the gracious consideration of Her Majesty the expediency of authorizing the Governor General of this colony to grant, in Her Majesty's name, absolute pardons to such persons as now hold conditional pardons, viz.:

(1.) That in the opinion of this Council it is desirable that every vestige of the former penal system of New South Wales should be effaced at the earliest possible moment.

(2.) That there are many persons now in this colony, free by servitude under sentences passed upon them in the United Kingdom, under rigorous and now repealed statutes, who by industry, perseverance, and upright conduct, have gained for themselves and their families the respect and esteem of all, and who are desirous to be allowed to revisit their native land.

(3.) That these persons, by the retrospective operation of the Imperial Act 6 Vict. c. 7. are deprived of that absolute freedom to which, from servitude in the first place, and their subsequent exemplary conduct, they are in every way entitled.

(4.) That, whether as regards the encouragement of free immigration to these shores, or the abolition of painful class distinctions, it is desirable that absolute in place of conditional pardons should be granted to those who have received the latter boon, and who, although enjoying every privilege of free denizens here, are nevertheless, by a stern restriction, prohibited from returning to their native country.

(5.) That an address be presented to the Governor General praying his Excellency to submit the foregoing Resolutions to the Secretary of State for the Colonies, and to recommend for the gracious consideration of Her Majesty the expediency of authorizing the Governor General of this colony to grant, in Her Majesty's name, absolute pardons to such persons as now hold conditional pardons.

(Signed) CHARLES NICHOLSON,
Speaker.

Legislative Council Chamber,
Sydney, Oct. 13, 1854.

NEW SOUTH
WALES.

Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor General Sir C. A. FITZROY.
(No. 32.)

SIR,

Downing Street, August 25, 1854.

* Page 88.

I HAVE to acknowledge the receipt of your Despatch* No. 55, of the 19th of May last, forwarding a letter addressed to my predecessor, by Mr. C. Cowper, as president of a society styling itself "The Australian Anti-Transportation League," announcing the dissolution of that society.

Governor General Sir C. Fitzroy,
&c. &c. &c.

I am, &c.
(Signed) G. GREY.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor Sir W. DENISON.
(No. 10.)

SIR,

Downing Street, January 15, 1855.

† Page 91.

I HAVE received Sir C. FitzRoy's Despatch,† No. 137, of the 16th Sept. last, relative to the contemplated issue of conditional pardons and the reduction of the Convict Department.

In the absence of the opinion of his law advisers, I am of course not very well aware of the nature of the legal doubt which appears to have been raised respecting the grant of these pardons; but on the assumption that your predecessor had taken proper care to satisfy himself that the supposed difficulty was not substantial, I see no reason for withholding my assent to the measures reported by him.

I have likewise to signify my approval of the continuance of the services of the principal superintendent and chief clerk until the end of 1855.

Lieut.-Governor Sir W. Denison,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

VICTORIA.

VICTORIA.

Despatch from the Secretary of State.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to Governor Sir C. HOTHAM.

No. 30.
15 March 1854.
See page 54.

(No. 2.)

Downing Street, June 24, 1854.

SIR,

I TRANSMIT to you copy of a Despatch which I have received from the Lieutenant-Governor of Van Diemen's Land, on the subject of the punishment of certain persons from Van Diemen's Land, holders of conditional pardons under the Convicts Prevention Act.

2. From Mr. LaTrobe's Despatch, No. 41.,* of March 2, 1853, Her Majesty's Government had been led to suppose (as the Duke of Newcastle stated in his Despatch of 30th September last), that in the opinion of the Attorney General for Victoria, the Act did not apply to convicts holding conditional pardons. This supposition was confirmed by the returns contained in Mr. LaTrobe's subsequent Despatch of 18th† November last, which made mention of no such case. But in his present Despatch Sir Wm. Denison says, "that there are men holding conditional pardons under Her Majesty's authority, who are now suffering punishment in Victoria under sentences of imprisonment with hard labour, their sole offence being that by the terms of the Convict Prevention Act they are still considered to be convicts illegally at large, notwithstanding the pardon which has been granted to them."

3. As the existing Act (which would have been disallowed had not Mr. LaTrobe, acting no doubt on the best of his judgment, declined to execute his instructions in that respect), will expire in November next, no proceedings respecting it appear now necessary. And the substituted Act has not yet reached me in an official shape.

4. I am moreover aware that you left this country to take possession of your Government with full instructions from the Duke of Newcastle to use your best endeavours to reconcile the views entertained by Her Majesty's Government and by the Legislative Council on this subject, and to induce the latter to amend their legislation in conformity with the opinions already expressed by his Grace. It is therefore unnecessary for me at present to address to you any further instructions with this view. But with reference to the cases mentioned by Sir Wm. Denison, I have to direct you to ascertain whether the information he had received is correct, and if you find this to be the fact, I have to suggest that in order to prevent so obvious an injustice and so serious an encroachment on the prerogative of the Crown, you should without delay cause free pardons to be issued to such alleged offenders against the Act.

Governor Sir C. Hotham,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

* Page 155 of Papers on "Convict Discipline," presented to Parliament by Her Majesty's Command, 18th July 1853.

† Page 120 of similar Papers. May 1854.

WESTERN AUSTRALIA.

Despatches from Governor Fitzgerald.

No. 1.

No. 1.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the Duke of NEWCASTLE.

(No. 116.)

Government House, Perth, December 1, 1853.

(Received March 6, 1854.)

MY LORD DUKE,

(Answered No. 68, June 6, 1854, page 208.)

Having so recently in my Despatch No. 103,* of 18th October last, submitted, for your Grace's favourable consideration, an increase to the salaries of the Comptroller General and Superintendent of the Convict Establishment, I would not again trespass on your Grace by bringing this matter before you, were it not that I feel bound in justice to these officers to transmit the correspondence herewith, and that it also in addition brings under my notice the claims of other officers in the convict establishment.

Comp.-General.
3d Nov. 1853.
Superintendent.
3d October 1853.

I therefore again recommend this application to your favourable notice, as also that the steward and principal warder, both excellent persons in their respective departments, be placed on the same scale of salary as that granted to similar officers in Portland Prison; and even then, when it is considered how much higher the cost of every necessary of life is at present in this colony than in England, the position of these officers will be far below those in Portland Prison.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) CHARLES FITZGERALD.

Enclosure 1 in No. 1.

Comptroller General's Office, Fremantle,
November 3, 1853.

SIR,

I HAVE the honour to forward, for his Excellency's consideration, the enclosed copy of a letter from the superintendent of the convict establishment, drawing attention to the discrepancy which exists between the salaries of the principal officers of the prison here and those holding similar situations in England.

With reference to the superintendent, he has charge of the whole of the prisoners, although now divided into four parties, and his duties are greatly increased by the supervision of these parties, and I consider his constant personal superintendence of the utmost importance. At Fremantle he has about 700 men, 200 on the Perth and Fremantle road, divided between two stations, and 100 at Guildford.

The arduous and responsible duties of this officer, and the zeal and efficiency with which he has discharged them, are too well known to his Excellency to require any comment from me; and viewing the diminished cost of the Fremantle prison, as compared with English prisons, I hope his Excellency may be disposed to view favourably the application of the superintendent.

As regards the chaplain, his duties do not extend over the out-stations, which are almost entirely composed of Roman Catholics, and, as I presume, the salary allowed the chaplain at Portland is for all English Protestant prisoners, I cannot view his claims in the same light as the superintendent's.

The steward has a most responsible office, is an excellent officer, and has been already recommended on the estimates for next year for an increase of salary.

As regards the chief warder, the same remark would apply to the chaplain, as his duties are also confined to the prison at Fremantle.

I should, however, hope his Excellency may feel justified in recommending him to be placed on a similar footing in respect of pay with chief warders at home, because with the lamentable deficiency of qualified warders in this prison, the responsibility and arduous duties of the superior officers are greatly increased; in fact, the security of the prison, and the discipline and order of the establishment, devolve almost entirely upon them.

The chief warder is a zealous and excellent officer, and has proved himself every way worthy of the selection made in his case by the authorities in England, and with the present prices of the necessaries of life, his small salary presses hard upon him.

* Page 217 of Papers on Convict Discipline, presented by Her Majesty's command, May 1854.

To retain the services of so valuable an officer as his period of servitude has expired) in the present state of the convict department, with increasing numbers of prisoners and scarce a possibility of getting good officers, it appears to me a small increase of salary might be very properly allowed.

WESTERN
AUSTRALIA.

I have, &c.

The Hon. the Colonial Secretary. (Signed) E. Y. W. HENDERSON.
&c. &c. &c.

Enclosure 2 in No. 1.

Encl. 2 in No. 1.

Convict Establishment, W.A.,

SIR, Superintendent's Office, Fremantle, October 3, 1853.

As the estimates for the ensuing year are now in course of preparation, I do myself the honour to bring under your notice the increased responsibilities of the officers of this establishment, with the view to your obligingly laying the same before his Excellency.

The number of prisoners now amount to 1,045, approximating to within thirty of Portland—our prototype; but the cost of supervision is only as about 5,556*l.* 10*s.* in Western Australia to above 9,000*l.* at Portland, or about one half of what obtains at that prison, where in addition they have a very far greater staff of officers, a complete prison, and every appliance for carrying out the prescribed system of discipline; it is clear, therefore, that our labours must be much more severe, besides which the nature of temporary buildings add greatly to the responsibilities of our position.

I would respectfully call your attention to the following disparities which exist in the scale of pay of this establishment and that ruling at Portland and the other English prisons.

At Portland the Governor receives 515*l.* per annum; here that officer receives 300*l.* I would take the liberty of observing that I have been seven years in the service, and am senior officer to many holding the same appointment, and who enjoy the English scale of emolument.

The deputy-superintendent's is however assimilated to the pay of that officer at Portland, viz., 200*l.*, and as it is most likely he will be a stranger to the service, and also will be without its responsibilities, I cannot but think the English proportionate (which is as 200*l.* to 500*l.*) should be observed. The chaplain at Portland receives 325*l.*; here that officer is paid 200*l.*

The steward at Portland receives 155*l.*; here that official receives 128*l.*

The chief warder at Portland receives 105*l.* 12*s.* 6*d.*, here, 86*l.*; these two latter officers have been upwards of three years in the service, and I can confidently state that they perform their duties most satisfactorily.

The principal warders and schoolmasters appointed in England receive a higher salary than the Portland scale; the deputy-superintendent warders and assistant-warders receive the regular Portland scale, but other classes of officers and those which in accordance with prescription are of a superior, more responsible, and perhaps laborious character, are much below that scale.

I will further respectfully direct your attention to the increased cost of the prime necessities of life in this colony, about fifty per cent. higher than in England, and so the greater value of labour.

As Portland Prison was prescribed as our guide, so far as practicable, in the formation of this establishment, and as its usage has evidently been followed in several instances, I would respectfully request that the scale of pay ruling in this establishment should be assimilated not only in these exceptional cases, but also generally, when practicable, to that ruling at Portland, and that its usages, as respects annual increases of pay to all grades of officials, should likewise be conceded, such usage also obtaining generally in every English prison.

That such assimilation would not be one in reality will appear, however, by a reference to the relative money value of marketable commodities and consequent cost of living, still such a recognition of services would prove an incentive to fresh exertions.

I have, &c.

(Signed) THOMAS H. NIXON, Superintendent.

WESTERN
AUSTRALIA.

No. 2.

No. 2.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No.119)

Government House, December 5, 1853.

(Received March 6, 1854.)

(Answered No. 4, June 30, 1854, page 210.)

Comptr.-Genl.

Nov. 2.

Suptdt., Nov. 1.

MY LORD DUKE,

I HAVE the honour of transmitting to your Grace the correspondence herewith, relative to the question as to whether there should be any distinction made in the number of holidays granted to the Protestant and Roman Catholic prisoners in the convict establishment in this colony.

I have for the present directed that only three holidays should be sanctioned for general observance, making no distinction between the different persuasions, as I am of opinion the adoption of an opposite cause would, among such a large associated body of men, be productive of a feeling of much jealousy, to the subversion of good order and discipline.

As it is possible that this may be made a vexed question by the Roman Catholic hierarchy in this colony, I have to solicit your Grace's approval of my present decision, so that I may be strengthened by your authority in enforcing such, should I have any further occasion to do so.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) CHARLES FITZGERALD.

Encl. 1 in No. 2.

Enclosure 1 in No. 2.

SIR,

Comptroller-General's Office, Fremantle, November 2, 1853.

I HAVE the honour to forward for his Excellency's consideration the enclosed copy of a letter from the superintendent of the convict establishment, and to observe that so long as the men are associated in large bodies, I think the practice of observing holidays totally incompatible with the preservation of order and discipline, and likely to lead to much trouble where Catholics and Protestants are mixed together, and I think the three holidays sanctioned for general observance quite as much as can be consistently allowed.

I have, &c.

The Hon. the Colonial Secretary,
&c. &c. &c.

(Signed) E. Y. W. HENDERSON.

Encl. 2 in No. 2.

Enclosure 2 in No. 2.

SIR,

Superintendent's Office, Fremantle, November 1, 1853.

I HAVE the honour to report that the Roman Catholic prisoners this morning refused to work, on the ground of the Roman Catholic chaplain having told them that this was a holiday (All Saints Day). I placed three of the number in cells, when the remainder proceeded to work. I have told Mr. O'Neill that he ought not to have spoken to the men on such subjects, inasmuch as we have only Sundays, Good Fridays and Christmas Day authorized as holidays. I have further made inquiries of the practice in Irish prisons, and find that at Spike Island the priest can get the men excused from work on such days, for the purpose of imparting religious instructions, if deemed expedient, but in all other prisons I find only a few of the holidays are sanctioned. I will feel obliged by your instructions how I am to act, as I think from Mr. O'Neill's manner it is a question which ought to be at once decided. The men, for this morning's refusal of work, I have caused to be placed under punishment.

I have, &c.

The Hon. Comptroller General.

(Signed) THOMAS H. DIXON,
Superintendent.

No. 3.

WESTERN
AUSTRALIA.

No. 3.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 120.)

Government House, Perth, December 6, 1853.

(Received March 6, 1854.)

MY LORD DUKE,

(Answered, No. 39, November 16, 1854, page 217.)

I HAVE the honour of transmitting to your Grace the enclosed correspondence, which has taken place relative to the prisoners in the convict establishment being allowed during the time they are under sentence to change their religion.

2. I have, for the present, directed that all men who are desirous of changing their religion should be permitted at once to do so, but for the future it should be a standing regulation that no such change should be made while men are inmates of the establishment, as I am entirely of opinion with the Comptroller General, that if such a practice were to be continued as to allow the chaplains to make converts from each others flocks while within the walls of the prison, it would result in creating a degree of ill-feeling and jealousy which must lead to unpleasant consequences.

3. Although I have come to the above decision, I feel some difficulty with reference to this question, and would therefore request to be informed whether I have acted in accordance with your Grace's views, or, if otherwise, that I may receive your instructions accordingly.

I have, &c.

(Signed) CHARLES FITZGERALD.

The Duke of Newcastle,
&c. &c. &c.

Comptroller-Gen.
October 22.Chaplain,
October 20.Comptroller-Gen.
November 1.Superintendent,
October 27.

Enclosure 1 in No. 3.

Encl. 1 in No. 3.

SIR,

Comptroller General's Office, Fremantle,
October 22, 1853.

CONSEQUENT, I presume, on the recent appointment of the Roman Catholic chaplain, one of the re-convicted prisoners, No. 619, Richard Moss, has applied for permission to change the form of his religion. On the prison books he is entered as Protestant, and his own admission on reception supports the nominal correctness of the entries.

I inclose for his Excellency's information a copy of the chaplain's letter on the subject, addressed to the superintendent.

It is quite obvious that if a system of propagandism is to be allowed within the walls of our crowded prison, and the chaplains allowed to make converts from each others flocks, that a degree of ill-feeling and jealousy will be created that must lead to unpleasant consequences. It is moreover entirely at variance with good order and discipline that prisoners be permitted to change from one denomination to another under every impulse of caprice, or simply for the sake of giving annoyance and trouble. I would therefore respectfully submit that all such changes should be discountenanced, except where evident proofs are given that they spring from conscientious motives; and that stringent directions be given to the chaplain and Roman Catholic chaplain of the establishment, that they are on no account to interfere with or attempt to make converts of the prisoners not entered on the books as belonging to their own church.

I have, &c.

(Signed) E. Y. W. HENDERSON.

The Hon. the Colonial Secretary,
&c. &c. &c.

Enclosure 2 in No. 3.

Encl. 2 in No. 3.

SIR,

Convict Establishment, Fremantle, W. A., October 20, 1853,
Chaplain's Office.

IN accordance with your letter of to-day, I have seen and conversed with the prisoner Richard Moss. The questions put to him, with his replies, are subjoined, and will enable you to come to the decision respecting his change of profession that may appear just to you.

1. Were you in the habit of attending any place of worship in your childhood?

Prisoner. Not after eight years of age, when I left my parents. Before that time I used to go with my mother to the (Roman) Catholic Chapel.

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2. Where did your father go?
Prisoner. He attended the Church of England.
3. Did you ever before request to be removed from the Protestant to the Roman Catholic worshippers?
Prisoner. Never.
4. What prisons have you been in?
Prisoner. Wakefield, York Castle, and Portland.
5. Did you ever in either of these prisons request liberty to change your profession?
Prisoner. Never; at Wakefield we had no (Roman) Catholic chaplain; at least, not in the county prison. On landing here the officer, Mr. Rourke, who took our likenesses, asked me to what religion I belonged, and I told him not to put me down a Protestant.
6. Did you ask him to enter your name as a Roman Catholic?
Prisoner. No, I said, Do not put me down Protestant.
7. Is there anything in the mode of worship with the Protestants that you think wrong?
Prisoner. I do not say that there is anything wrong.
8. Is there anything in the doctrine of the Church of England, as far as you are acquainted with it, that you think wrong or unsound?
Prisoner. I have no fault to find with the ordinance at all.
9. Do you mean by the ordinance the doctrine and worship of the Protestants?
Prisoner. Yes; I do not think that there is anything in the doctrine or worship of the Protestants that is wrong.
10. What is there that you prefer in the Roman Catholic Church?
Prisoner. I think that the (Roman) Catholic religion was the first religion created in the world; it is the first and the last.
11. What motives, as far as you know, influence you in seeking this change of your religion?
Prisoner. I was baptized in that religion, and it is the first of all religions. These are are my only motives.
- The above answers were taken down from him by me, and afterwards read to him in the presence of the warder, Johnson. The prisoner assented to their correctness, and said, on being asked, that he had nothing to add.
- I did not think it well to do anything myself, beyond stating for his instruction, in his transition state, in what light Protestants viewed the claims of the Roman Catholic church to be the first religion.

I have, &c.

The Superintendent of the Convict Establishment. (Signed) JAMES BROWN, Chaplain.

Encl. 3 in No. 3.

Enclosure 3 in No. 3.

SIR,

Comptroller General's Office,
Freemantle, November 1, 1853.

IN reference to your letter c2/810, of the 24th ult., I have the honour to forward for his Excellency's information the enclosed copy of a letter from the Superintendent, replying to the questions required by his Excellency before giving any final decision in regard to Richard Moss.

I have, &c.

The Hon. the Colonial Secretary,
&c. &c. &c.(Signed) E. Y. W. HENDERSON,
Comptroller General.

Encl. 4 in No. 3.

Enclosure 4 in No. 3.

SIR,

Convict Establishment, W. A. Superintendent,
Fremantle, October 27th, 1854.

IN reply to Gs/250, October 26, 1853, I have the honour to report that Moss, the prisoner in question, was received into the establishment under a reconviction dated April 1, 1852, for two years imprisonment and hard labour.

The prisoner made an application to me personally this current month; and since the occasion of that interview the Roman Catholic chaplain has also applied to me upon the subject.

If I might be permitted to throw out a suggestion applicable to this question, I would propose that an order be issued permitting all men who are desirous of changing the form of their religious profession (and we have several of each kind wishing to make the change) to do so at once, but hereafter it will be a standing regulation of the establishment, that no such change shall be made while men are inmates thereof, and consequently under penal restraint.

I have, &c.,

(Signed) THOMAS H. DIXON,
Superintendent.

No. 4.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the
Duke of NEWCASTLE.

WESTERN
AUSTRALIA.

No. 4.

(No. 123.)

Government House, Perth, December 23, 1853.

(Received April 4, 1854.

(Answered No. 8, July 19, 1854, page 211.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Grace's Despatch No. 28,* dated the 13th of March last, accompanied by an extract of a report from the Commissioners of Audit to the Lords Commissioners of the Treasury, dated Somerset House, 14th of February 1853.

2. In reference to the first portion of that report, I have the honour to state, that the regulations for convict discipline therein referred to are not in force in this colony, there being no class of probation passholder; consequently no monies can have accrued to the Crown from that source, as thought by the Commissioners of Audit, nor have we any savings bank in the colony.

3. With regard to the general method of transacting the pecuniary duties attached to the office of the Comptroller General, I have the honour to report that, under existing regulations, he is accountable for—

Firstly,—Private cash and earnings received from England, which, up to the present time have been paid to the Comptroller General's public account at the bank, by the Assistant Commissary General in charge.

Secondly,—Earnings by prisoners on public works in the colony.

Thirdly,—Passage money paid by ticket of leave holders.

Fourthly,—Wages to ticket of leave holders on the public works.

4. As regards the private cash and earnings, it will be my duty to see that a general statement is furnished half-yearly, shewing the amount received and the distribution, and that the same be transmitted to your Grace for the information of the Commissioners of Audit, with my certificate of having examined the vouchers.

5. With reference to the earnings of the prisoners, they are paid by the Comptroller General, on the men being discharged on tickets of leave, from the monies in his possession, under the head of Private Cash and Earnings; a quarterly statement of each man's receipts is furnished to the commissariat, which forms a voucher, and is, I presume, transmitted to the Commissioners of Audit.

6. The passage money is now of late nearly all collected by the commissariat, and a detailed statement of its amount is forwarded with the Comptroller General's half-yearly reports to the Secretary of State for the Colonies, and a copy of the same will in future be furnished to the officer in charge of the commissariat department.

7. The earnings of ticket-of-leave men on public works are paid on weekly pay-sheets, which form the commissariat's vouchers, the details of pay being regulated by the Comptroller General under the general authority of the Governor.

8. I do myself the honour to transmit the accounts furnished by the Comptroller General up to the quarter ending last June.

9. I also take leave to forward an extract of a report made to me by the Comptroller General and Assistant Commissary General Mends, called for by my instructions of last March, when anxious to know the amount of duties and the method in which they were carried out in the Comptroller General's office, with the view, if possible, of relieving his department by some different distribution of the labours.

10. I trust this report will convey to the Commissioners of Audit the particular information they require, and that your Grace will concur with me, looking at the large amount of pecuniary responsibility with which the Comptroller-General is charged, that it would be very desirable to transfer as much of that responsibility as possible to some other department.

11. The payments, I am aware, must be made by the Comptroller General, as he is the only person possessing the necessary information that call for such; but having consulted with the Assistant Commissary General, who has favoured me with his views on this subject and expressed his readiness to do all in his

* Page 282 of Papers on Convict Discipline, presented by Her Majesty's command July 18, 1853.

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power to forward the object in view, I venture to propose for your Grace's consideration, that the collection and custody of all monies devolve on the commissariat department, who will be instructed to furnish to the Comptroller General, on monthly requisition, such sums as he may require for disbursements, the pay list being rendered monthly in discharge of the sum advanced by the commissariat, which I hope will thus avoid the necessity of burthening the Comptroller General with so much pecuniary responsibility.

I have, &c.

(Signed) CHARLES FITZGERALD.

Encl. 1 in No. 4.

Enclosure 1 in No. 4.

RETURN showing the amount of Private Cash and English Earnings belonging to Convicts, received by the Comptroller General, and Expenditure of same, during the Half Year ending June 30, 1853.

SHIPS.	Amounts received by Comptroller General.	Balance in hands of Comptroller General, 31st Dec. 1852.	Amounts previously Reported and Paid to Ticket of Leave Men, during the Half Year.	Paid into Commissariat Chest, being Dead Men's Money.	Balance in hand, 30th June 1853.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Reported to 31st } December 1852 }	2,695 18 11 $\frac{3}{4}$	- - -	2,333 16 10 $\frac{3}{4}$	40 15 4	- - -
Scindian - -	- - -	- - -	- - -	- - -	- - -
Hashemy - -	- - -	3 4 0 $\frac{1}{2}$	- - -	- - -	3 4 0 $\frac{1}{2}$
Mermaid - -	- - -	96 14 1	79 4 2 $\frac{1}{2}$	- - -	17 9 10 $\frac{1}{2}$
Pyrenees - -	- - -	- - -	- - -	- - -	- - -
Minden - -	- - -	- - -	- - -	- - -	- - -
Marion - -	- - -	22 15 8 $\frac{1}{2}$	19 6 10	- - -	3 8 10 $\frac{1}{2}$
William Jardine - -	- - -	198 12 11	2 15 4 $\frac{1}{2}$	12 6 8	183 10 10 $\frac{1}{2}$
Dudbrook - -	507 17 7	- - -	366 16 5 $\frac{1}{2}$	9 6 7 $\frac{1}{2}$	126 14 10
Pyrenees - -	1,471 4 8 $\frac{3}{4}$	- - -	1,262 10 10 $\frac{1}{4}$	38 19 7	169 14 3 $\frac{1}{2}$
Total -	4,670 1 3 $\frac{1}{2}$	321 6 9	4,064 10 7 $\frac{1}{2}$	100 18 2 $\frac{1}{2}$	504 2 5 $\frac{1}{2}$

ALFRED ROSSER, Cashier,
For the Registrar.

Encl. 2 in No. 4.

Enclosure 2 in No. 4.

RETURN of Private Cash and English Earnings received by the Comptroller General, being property of Convicts transported to Western Australia, and Expenditure of the same, from June 1850, to December 31, 1852.

SHIP.	Amount received by the Comptroller General.	Amount Paid to Ticket of Leave Men.	Paid into Commissariat Chest, being Dead Men's Money.	Balance in hand, 31st Dec. 1852.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Scindian - - -	158 13 6	158 13 6	- - -	- - -
Hashemy - - -	148 15 5 $\frac{1}{4}$	144 11 7 $\frac{3}{4}$	- 19 9	3 4 0 $\frac{1}{2}$
Mermaid - - -	240 11 3 $\frac{1}{2}$	132 16 2 $\frac{1}{2}$	11 1 -	96 14 1
Pyrenees - - -	645 11 11	632 3 3	13 8 8	- - -
Minden - - -	742 17 0	735 8 3	7 8 9	- - -
Marion - - -	558 1 2	530 4 0 $\frac{1}{2}$	5 1 5	22 15 8 $\frac{1}{2}$
William Jardine - -	201 8 8	- - -	2 15 9	198 12 11
Total - -	2,695 18 11 $\frac{3}{4}$	2,333 16 10 $\frac{3}{4}$	40 15 4	321 6 9

ALFRED ROSSER, Cashier,
For the Registrar.

Enclosure 3 in No. 4.

WESTERN
AUSTRALIA.EXTRACT from the Comptroller General's and the Assistant Commissary General's Letter,
dated March 22, 1853.

Encl. 3 in No. 4.

IN regard to the cash transactions which have devolved upon the comptroller general's department, we beg to submit the following observations on the manner in which these duties have hitherto been performed.

1. The private cash and earnings are received by each convict ship from England, being a notification of the amount paid into the commissariat chest in England. These sums, agreeably to the Secretary of State's instructions, are handed to the comptroller general for detail distribution to the men when they receive their ticket of leave.

A debtor and creditor account is opened with each man on his landing, wherein his private cash and earnings are entered. If a prisoner, his account remains dormant with the registrar until he leaves his ticket of leave, when his earnings in prison at Fremantle are transferred to this account.

Agreeably to the Secretary of State's instructions, it has been the practice here to pay these sums to the men immediately on landing; or, on leaving the establishment, any small sums wanted for necessary purposes, as for purchasing tools, &c. is given them, and whatever amount they please is transferred to their passage account. The balance is sent to the resident magistrate of the district to which they proceed, and when they report themselves to him, on entering private service they receive their money at his discretion. If they go to a dépôt, the money is placed to their credit, and they are allowed by the superintendent to expend it in the purchase of reasonable necessities; and as much care as possible is exercised in preventing its being expended in drink and debauchery, to which men just emerging from long imprisonment are but too liable.

The men sign duplicate lists in England certifying the correctness of their balances, and they sign duplicate lists here on receiving the money.

In addition to the amount received from the commissariat, being sums advised from England, there are small amounts handed to the comptroller general by the surgeon superintendent of convict ships, being private cash belonging to prisoners paid to the surgeon superintendent, which is distributed in the same way, receipts being taken from the men.

2. Earnings by prisoners on the public works in this colony. These accounts are all kept by the superintendent of the convict establishment, the men being allowed a small rate of pay daily, as fixed by the Secretary of State, but liable to be reduced or altogether taken away for misconduct or idleness. When a prisoner becomes entitled to a ticket of leave a memorandum of the amount due to him is sent to the registrar's office; this money is paid to him in the same way as his private cash and earnings, and has hitherto been advanced by the comptroller general, who forwards at the end of each quarter duplicate returns signed by the men, when the amount is refunded to him by the commissariat.

The balance in hand in private cash and earnings enables the comptroller general to make these payments. The whole of these accounts being necessarily kept in the superintendent's office, the only documents necessary in the registrar's office are the duplicate sheets signed by the men, which are sent quarterly to the commissariat for payment. The men should also sign in a book, kept for the purpose as a record. It is suggested that the account of these earnings be occasionally audited.

3. Passage money is collected in the rural districts by a commissariat store keeper, and monthly returns transmitted to the comptroller general of sums received by them, showing the names of the men and their employers. This return is forwarded to the commissariat office, and receipts for the amount as being paid into the chest, signed by the assistant commissary general, are forwarded to the comptroller general's office. At Fremantle the passage money is paid to the register, but the amounts are very small, as ticket of leave men are not allowed to hire in Fremantle until all the passage money is paid. At Perth it is at present collected by the police magistrate, who pays it monthly to the commissariat; at Albany it is paid into the commissariat chest there, but in the districts of Champion Bay and the Vasse it is collected by the resident magistrates, there being no commissariat in those districts.

The collection of money on account of passage up to the 31st of December was made entirely by the comptroller general, the money being lodged to his convict account at the West Australian Bank, and the amount paid into the commissariat chest half-yearly as soon as the registrar classed his accounts, which are forwarded with the comptroller general's half-yearly report. This applies to passage money paid in cash, not what is derivable by deduction from men on the public works, which appear on the return of earnings weekly.

The amount paid by or for each man is entered to his credit immediately on receipt of the proper documents, and a receipt for the money is forwarded to him, and if paid by his employer another is sent to him.

4. Earnings on public works. Ticket of leave men employed on public works receive pay at rates fixed from time to time under the authority of the Governor, and under certain regulations authorized by him. Deductions are made from each man on account of passage money at the rate of 5*l.* per annum.

Weekly returns are furnished from all the stations showing the amount of each day's work, the earnings and deductions on account of passage money, duplicates of which are retained in the office.

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The following books appear to us to be necessary to be kept for the preservation of a clear and correct account with each man, to be opened on landing, showing amount of private cash and earnings, Fremantle earnings, if any, and expenditure of the whole, whether transferred to passage or in what manner disposed of.

No. 2. Register of payment of earnings of prisoners on the public works in Western Australia, being a copy of returns forwarded quarterly to the commissariat.

No. 3. Passage account-book, being a debtor and creditor account with each ticket-of-leave man in the colony, showing on one side the amount due, with the deduction for prompt payment, and on the other the receipts. If employed on the public works, the deduction for passage-money to be entered monthly from the weekly pay-sheets.

No. 4. Earnings on public works, and deductions for passage money; the totals from each weekly return for every depôt to be entered as received, showing at a glance the total earnings and stoppages for any week, month, or year.

No. 5. An account of private cash and earnings received by convict ships; each ship to be kept separate; the payments on account of each to be entered weekly, and a balance struck at close of each month, showing balance in hand on account of each vessel.

No. 6. Register of sale of deceased prisoners and ticket-of-leave men's effects; proceeds of sale, after deducting expenses, being paid into the commissariat chest from time to time.

In addition to the above, a rough daily cash-book will have to be kept, showing each day's cash transactions.

The commissariat storekeepers will have to be furnished with a copy of the passage account of each man going to their district, and the return of receipts granted by them will have to be compared with the account, as a check.

The preparation of receipts and all cash returns are also included in this branch of duty, and a similar book of returns must be kept to that in the registering clerk's office.

The collection of the money by the commissariat storekeepers having materially facilitated the object in view, we beg to recommend that, with a view to prevent delay, and enable each man to know the amount he has paid or has to pay, without referring each case to the comptroller general, that each storekeeper should be furnished from the comptroller general's office with a statement of each man's passage account on going to his depôt and district, which he should enter in a book kept for the purpose, thus opening an account with each man in his district. For any sums paid to them in cash, the storekeeper will grant receipts to the men or their employers, which will be considered sufficient. The final receipts for passage money in full will be granted by the comptroller general.

The storekeeper will not grant receipts for stoppages on account of passage money on the public works until a man leaves the works or districts.

The comptroller general will notify the storekeeper in the event of a ticket-of-leave man being transferred from his district to any other, and the storekeeper will furnish the storekeeper of the district to which the man is transferred with a memorandum of the balance of money still due by him on account of passage.

The monthly returns of cash received on account of passage money will still be continued to be furnished to the comptroller general's office, and on the other side of this document a memorandum is to be made of receipts granted during the month, giving register numbers, names, and accounts.

The extent and importance of the cash transactions connected with the convict department, which have devolved on the comptroller general, and which we have satisfied ourselves cannot by any possibility be removed from his office, may be gathered from the fact that, although the present ticket-of-leave system and payments on account of passage money only commenced in July 1851, but little more than 18 months ago, the sums paid into the commissariat chest on account of passage money, up to the 28th February 1853, amounted to 4,195*l.* 2*s.* 1½*d.*, being 2,226*l.* 11*s.* 5*d.* paid in cash by the comptroller general, 108*l.* 17*s.* 4¾*d.* received by commissariat storekeepers, and 1,859*l.* 13*s.* 3¾*d.* by stoppages on public works.

The amount of private cash and earnings received from England amounted, from 1850 to December 1852, to 3,200*l.*

The earnings of prisoners on the works at Fremantle for the same period to 805*l.*, making a total of 4,005*l.*

The peculiar system adopted in this colony renders it necessary to keep two open accounts with each ticket-of-leave man, one for his private cash and earnings, and one for his passage account, and even at present this involves nearly 2,400 open accounts, independent of much other work connected with these duties.

It is obvious that so large a sum of money cannot be disbursed in very small amounts, and collected in still smaller sums, from a great number of men scattered far and wide over the colony, and passing through so many different accounts, without involving much labour and varied and intricate accounts, demanding the undivided attention of a person thoroughly acquainted with accounts generally, and the details of the convict and commissariat transactions.

COPY of a DESPATCH from Governor FITZGERALD to the Duke of
NEWCASTLE.

(No. 1.)

Government House, Perth, January 4, 1854.

(Received April 4, 1854.

(Answered, No. 62, May 8, 1854, p. 205.)

MY LORD DUKE,

AFTER more than a year's experience of the serious inconvenience and embarrassment which the convict department in this colony has been subject to from the want of a colonial vessel at the disposal of Government in connexion with that particular branch of the public service,

2. It becomes my imperative duty to draw your Grace's serious attention to this circumstance, more especially so just now, as judging from the large number of prisoners recently arrived in the last two vessels, and immediately following each other, without any reference to the amount of prison accommodation available for their reception, I am naturally led to the conclusion that Her Majesty's Government have changed their determination with reference to the extent and duration of a penal establishment in this colony.

3. It will be unnecessary to remind your Grace that there are three hiring depôts established along the sea coast of this territory—one at Port Gregory, 300 miles north of Perth, and 600 miles distant from that at Albany, in the southern extreme; another at Bunbury, 100 miles from Perth; and should any large accession of numbers arrive, it will be absolutely necessary to establish one at Champion Bay, and another at the Vasse, making a total of five depôts solely dependent on water transport for provisions, stores, tools, medicines, and every other kind of necessary.

4. In carrying these arrangements into effect, according to Earl Grey's instructions to me in his Despatch No. 81 of 19th July 1851, I did so with unbounded confidence in the knowledge that I possessed a colonial vessel at my disposal commanded by a naval officer of promptitude, firmness, and judgment, on whom I could rely at a moment's notice for throwing in the necessary supplies to these stations, as also reinforcements of troops, should such be unhappily required to meet any disposition to outbreak or turbulence; in short, your Grace, I felt that a colonial vessel gave me a power of surveillance over these stations in the facility with which they could be visited whenever necessary by the superior officers, as also an ubiquity of power with reference to the small military force at my command, that was preferable to quadruple the number without; and being, as I now am, left dependent on the (in this colony) very uncertain chance of hiring private transport to meet any emergency however great, and which is only to be obtained at the most exorbitant rate, and even then these vessels prove to be totally unfit for the requirements of Government, whether it be for the conveyance of convicts and their guards, stores, and provisions, or for the accommodation of officers, all arising from the vessels that offer wanting space by having almost always cargoes for other places, and merely calling into the ports of this colony for water and other supplies, or to make good slight defects.

5. From the foregoing statement I trust your Grace will see the very embarrassing situation of the local government, and the very unsatisfactory, I may say hazardous, position in which these depôts with their officers are placed, from the impossibility of being enabled to afford them supplies or other assistance by any other means than water transport, and necessarily that the power of Government should be such as to command this only practicable mode of conveyance with positive certainty, and, not as now, be entirely dependent on a chance vessel.

6. As the means of meeting this want without the expense of purchasing a vessel, I would draw your Grace's attention to the fact (if I am rightly informed) that Van Diemen's Land possesses no less than three in connexion with the convict service; and looking at the cessation of transportation to that colony, I venture to suggest that one of these could be spared to meet the wants of the convict service in this colony. But failing to obtain the services of this vessel, I would, under the circumstances, trust your Grace will see the necessity of bringing the matter before the Lords of the Admiralty, recommending their Lordships to direct that a vessel of the revenue cutter class, of not less than

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100 tons, commanded by a second master in Her Majesty's Navy, should be forthwith despatched to this colony, otherwise I shall be driven to recall the depôts along the sea coast to head quarters, a course that will be attended with serious injury to those districts, and the general prosperity of the colony, coupled with the great embarrassment which must arise to the Government by the congregating together of too large numbers of ticket-of-leave men, whose labour has been so advantageously employed in these districts, and who it is so necessary, in order to facilitate their absorption into private service, should be as widely dispersed as possible throughout the province.

8. Having brought this important subject before the Finance Board, I do myself the honour to transmit their Minute for your Grace's consideration.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(S gned) CHARLES FITZGERALD.

Encl. in No. 5.

Enclosure in No. 5.

Western Australia Convict Finance Board, Perth, December 24, 1853.

MINUTE II.

Read letter from Colonial Secretary, dated 24th December inst., requesting, by his Excellency's direction, that the Board will give their opinion as to the necessity which the Governor feels to exist, that a small vessel should be connected with the convict service of this colony, stating the present difficulty of communicating with the outports, the exorbitant rates demanded by vessels to take freight to those ports, and their bad accommodation; and further, that the Governor considers that a schooner of about 80 tons will be sufficient for this service, the maintenance of which will not exceed the expense actually incurred for transport, and the service would then be performed in a creditable, instead of as at present, a most expensive, discreditable, and thoroughly inefficient manner.

The Colonial Secretary remarks that he has been informed that persons whose lives may be insured would vitiate their policies of insurance if embarking in vessels of less than 100 tons.

The Comptroller General considers this vessel should not be less than 150 tons, so as to be capable of carrying at least fifty ticket-of-leave men or others, their officers and a guard; and further, that unless such vessel be provided, the sooner the depôts are withdrawn from Albany and Port Gregory the better, as it is impossible to keep a proper supervision over those stations as matters stand at present.

The Assistant Commissary General made the following observations, which had the concurrence of the other members:—

That from an early period after the colony became settled, in consequence of the consumption of Western Australia holding out little or no inducement to traders to visit its ports, a vessel was granted by the Home Government to enable the colonists to hold communication with the neighbouring settlements, and so furnish themselves with supplies; consequently the Government vessel became a most important adjunct to the establishment; indeed, without its aid the colony most have ceased to exist, because in its earlier stage it was mainly dependent on this vessel as a means of supply, nearly all articles of consumption being imported.

The necessity for a Government vessel on this being made a penal settlement, became in no manner less urgent than in the earlier stage of the colony. The vessel was then required to bring supplies from without, or from other settlements, for the support of the colonists, because sufficient food was not raised in the colony to meet their wants at present. This is not altogether the object for which the vessel is required. She is wanted in the double capacity of a water guard, and a means of communicating with the sea port depôts stationed along the line of coast 600 miles in extent, and to keep these all supplied with food; which latter necessity is almost paramount, because none of the stations are in a position to provide themselves.

If the trade of this colony were such as to afford inducement to vessels to frequent its ports, the same reasons for an application for a Government vessel might not with such force be maintained; but the total absence for a considerable period of the year, of all means of securing freight, renders it an imperative duty on the Assistant Commissary General to recommend the application home for permission, either for the Government to purchase a suitable vessel from 100 to 150 tons; or as the chances of purchase here are so remote, it would be very preferable if one could be sent out from England.

By order of the Board,

ALFRED DURLACHER,
Clerk to the Board.

No. 6.

WESTERN
AUSTRALIA.

No. 6.

COPY of a DESPATCH from Governor FITZGERALD to his Grace the
Duke of NEWCASTLE.

(No. 6.)

Government House, Perth, January 16, 1854.

(Received April 4, 1854.)

(Answered, No. 64, May 26, 1854, p. 206.)

MY LORD DUKE,

I HAVE the honour of transmitting to your Grace the accompanying letter from the Comptroller General, forwarding a return of warders in the convict establishment who have either resigned or been dismissed.

2. Having written at such length and so often on the necessity of supplying warders and prison officers from home, I shall confine myself to stating that I concur most fully in the observations of the Comptroller General as to the difficulties of his position, which I fear will daily increase if your Grace cannot procure some twelve or twenty warders who would volunteer to emigrate and serve three years in the prison establishment, by which time the existing state of things in the other colonies may offer less temptations to able-bodied and intelligent men than at present.

3. Heading this list of resignations I regret to see the name of Mr. Fitzsimmons, chief warder, who was one of the best officers in the prison. I understand he goes to Melbourne to join the police force, on a salary of 300*l.* a year. The other warders who came from England make no secret of their intention to leave as soon as their three years of service have expired; while others state it to be their intention of paying the penalty and going at once. Under these circumstances I feel assured your Grace will see how embarrassing it must prove to this Government to be under the necessity of making constables of prisoners, and thereby placing them in situations of trust and responsibility—an arrangement which, however objectionable, it is not in my power to remedy until subordinate officers reach this colony from England.

The Duke of Newcastle,

&c. &c. &c.

I have, &c.,

(Signed) CHARLES FITZGERALD.

Enclosure 1 in No. 6.

Encl. 1 in No. 6.

Comptroller General's Office, Fremantle,

January 4, 1854.

SIR,

I HAVE the honour to forward for his Excellency's information a return of the resignations and dismissals among the subordinate officers of the convict establishment and its branch depôts since the 1st September, including seventeen resignations and twelve dismissals, this within four months. One half the subordinate officers have either resigned or been dismissed, and of the remainder the greater portion only remain because they are unable to leave the colony or get other employment, or, having come out from England, are under bond to remain a certain period.

Many of these vacancies are still unfilled, neither have we any applications; and but for the system recently introduced of employing prisoners as constables, which, however, I do consider vicious in principle, and only justified on the score of necessity, the prison duties could not be carried on.

With the present cost of the necessaries of life, the limited pay of the warders, and the attraction of the gold fields, there appears little hope of retaining the services of any well qualified men, and until these causes are removed our chief dependence will have to be placed on the prisoners themselves.

I do not feel myself justified in proposing any further increase to the pay of the subordinate officers, who have recently received a small addition to their daily pay, both because it would place them in a better position than their superiors, who are suffering quite as much, if not more, from the disproportion between their salaries and the cost of the necessaries of life, and because I do not believe that any addition, except a very large one, would induce men to remain in the convict service under the existing circumstances of the Australian colonies.

I think, however, it is but justice that his Excellency should be aware of the difficulties experienced by the convict department, which greatly increase the labours and responsibilities of the superior officials, and which, perhaps, future results may require should be fully and fairly considered.

I have, &c.

(Signed) E. Y. W. HENDERSON.

WESTERN
AUSTRALIA.

Encl. 2 in No. 6.

Enclosure 2. in No. 6.

CONVICT ESTABLISHMENT, WESTERN AUSTRALIA.

Superintendent's Office,

Fremantle, 31st December 1853.

RETURN, showing the Resignations and Dismissals of Officers of the above Establishment,
from the 1st September 1853 to the present date.

Name.	Office.	Whether resigned or dismissed.	Date.	Remarks.
J. Fitzsimmons - -	Chief Warder	resigned	10th Jan. 1854.	
A. Rutherford - -	Warder	ditto	"	
M. Tierman - - -	Ditto	ditto	"	
P. Britt - - -	Ditto	ditto	"	
John McPhu - -	Assistant Warder	ditto	30th Nov. 1853.	
Alfred Barnard - -	Ditto	dismissed	17th Dec. "	
James Angus - - -	Ditto	resigned	15th Oct. "	
James Dodds - -	Ditto	ditto	10th Jan. 1854.	
Alex. Duncan - -	Ditto	ditto	"	
Wm. Blackman - -	Ditto	ditto	"	
Peter McGlade - -	Night Warder	dismissed	21st Oct. 1853.	
William Gilbert - -	Ditto	resigned	8th Oct. "	
Henry Eales - - -	Ditto	dismissed	"	
William Craggs - -	Ditto	resigned	9th Dec. "	
John Griffin - - -	Ditto	dismissed	16th Oct. "	
Patrick Burns - - -	Ditto	ditto	12th Oct. "	
Reuben Hunt - - -	Ditto	ditto	10th Oct. "	
Geo. Martin - - -	Ditto	resigned	13th Oct. "	
Edm. Hardy - - -	Ditto	ditto	"	
J. McAlee - - -	Ditto	dismissed	21st Oct. "	
F. McDonald - - -	Ditto	ditto	2d Nov. "	
Henry Guerin - - -	Ditto	resigned	30th Nov. "	
C. Callaghan - - -	Ditto	dismissed	13th Oct. "	
P. Medderburn - -	Ditto	ditto	2d Nov. "	
J. Heaphy - - -	Ditto	ditto	8th Nov. "	
Richard Parry - - -	Ditto	resigned	30th Nov. "	
James Adds - - -	Ditto	dismissed	13th Dec. "	
Archibald Edgar - -	Assistant Superin- tendent	resigned	2d Dec. "	
J. G. Broomhall - -	Assistant Overseer	ditto	10th Jan. 1854.	

(signed)

E. Y. W. HENDERSON,

Comptroller General.

No. 7.

WESTERN
AUSTRALIA

No. 7.

COPY of a DESPATCH from Governor FITZGERALD to the
(No. 7.) Duke of NEWCASTLE.

Government House, Perth, January 16, 1854.

(Received April 4, 1854.)

My LORD DUKE, (Answered No. 60, May 1, 1854, page 205.)

I have the honour to transmit a copy of certain resolutions placed in my hand by a deputation of the leading inhabitants of Fremantle. These resolutions it would appear were proposed and carried at a public meeting, deprecating in the most anxious manner the measures contemplated by Her Majesty's Government (as they have been led to believe, from private information) of sending to this colony re-convicted felons of the worst stamp from the ultra penal establishments of the neighbouring colonies.

2. I know not what may be the intention of Her Majesty's Government on this subject, but as I have not failed to repeatedly bring before your Grace's predecessors the necessity that existed of only sending to this colony, at least for the present, prisoners of the best class, looking at the very unsuitable and insecure character of the provisional prison for carrying out a rigid correctional system of prison discipline—I am not without hope that the inhabitants have taken alarm without cause, and that the report which has reached them is perfectly groundless, as I presume, whenever Her Majesty's Government determine upon any such measure as that apprehended, due notice will be given, with the view of enabling this government to erect a separate and strong prison, either on one of the islands or in some other isolated position, free from the possibility of allowing any intermixture of such a class as that alluded to with the well conducted prisoners who from time to time receive their tickets of leave as the result of good conduct.

3. Adverting to the 4th resolution, bearing on the meagre amount of military and police, I would observe, that I do not for a moment partake of the feeling of any want of confidence in the pensioner force alluded to in this resolution. On the contrary, I have every reliance in both officers and men, who, I feel assured, will always prove themselves worthy of any trust reposed in them, and be again if required, the same soldiers they have hitherto proved themselves when engaged in the battles of their country. But as I believe it was never the intention of Her Majesty's Government that this force should constitute the permanent garrison at Fremantle, which they do at present, giving all the guards for the convict establishment, magazine, commissariat store, &c., as the company of Her Majesty's 99th regiment from necessity is unable to spare men from the duty of Perth, and the Royal Sappers and Miners are all employed on public works.

4. It will therefore be for your Grace to determine how far it is desirable that this government, with an increasing penal establishment, should be left to the chance of these men volunteering for military duty on their present rate of pay; there being no power to compel them thus to serve beyond their original agreement, unless they volunteer anew and sign a fresh agreement.

5. From this consideration only am I induced to request your Grace's deliberation how far it would be advisable to increase the regular military force by one and a half company of the line, the smallest number that can be substituted for the present pensioner detachment at Fremantle; the regular troops, from the continuous nature of their duty, requiring that they should be given three nights in bed, while the pensioner force are satisfied with two only, as any man of that force requiring a respite from military duty always obtains it on Captain Bruce's bringing in a substitute.

6. From this showing there is an obvious advantage on the score of economy in employing the pensioners as compared with the troops of the line. It must at the same time be borne in mind that in doing so these men are withdrawn from the occupation originally contemplated for them, their location in military villages, where they would always be available to aid the civil power in the hour of need.

I have, &c.

The Duke of Newcastle, (Signed) CHARLES FITZGERALD.
&c. &c. &c.

WESTERN
AUSTRALIA.

Enclosure in No. 7.

Encl. in No. 7.

RESOLUTIONS passed at a General Meeting of the Inhabitants of Fremantle, held at the Court House of that Town, on Saturday the 24th of December, 1853, R. M'Bryde Broun, Esq., Government Resident, in the chair.

1st Resolution—Proposed by Robt. King, Esq., and seconded by Mr. John Thomas:—That, from intelligence received in this colony, reasonable apprehensions are entertained that it is in contemplation to remove hither a considerable number of reconvicted felons, of the worst stamp, from the other colonies, and this meeting is of opinion that the earliest opportunity should be taken of expressing (through his Excellency the Governor) to the Home Government its sense of the probable consequences of so momentous a step, which this meeting conceives would be truly deplorable.

2nd Resolution—Proposed by Thomas Brown, Esq., J.P., and seconded by Mr. George Skinner:—That the system of transportation as hitherto carried out in this colony has been attended with most successful results, both as regards the colony and the prisoners transported hitherto. That with the same class of prisoners as have hitherto been received and under the same system, the success of the punishment of transportation may be reasonably anticipated, and the continuance of transportation to this colony, in its present form, is ardently to be desired; but that this meeting is decidedly of opinion that the introduction of such a leaven as the reconvicted prisoners from the other colonies into the mass of the convict population of this unprotected and scattered community would ruin the prospects both of the colony and convict population.

3rd Resolution—Proposed by Daniel Scott, Esq., J.P., and seconded by Mr. John Duffield, Sen.:—That this meeting most respectfully but firmly protests against this colony being made the receptacle for the reconvicted prisoners accumulated in the neighbouring penal settlements, for years notorious as the worst and most irreclaimable of their class; and in the event of this colony being obliged to receive these convicts, it is of the greatest importance that suitable provision be made for their safe custody and separation from the present class of prisoners, as well as an efficient military force to guard them.

4th Resolution—Proposed by Lionel Samson, Esq., M.L.C., and seconded by Mr. A. Cornish:—That whilst both the military and police force in this colony are of the most meagre description, the former for the most part not affording to the colonists that feeling of security which the presence of regular troops would, and the latter totally inadequate to protect a wide and scattered community (and which there are no means to increase), it becomes more desirable that this class of felons should not be introduced.

5th Resolution—Proposed by Thomas Carter, and seconded by Mr. Oliver Lodge:—That this meeting viewing the proposed measure as destructive to the best interests of the colony, intreats his Excellency to adopt the most immediate means in his power to avert this threatened visitation, and not allow the colonists to be placed in the painful position of appearing to resist the wishes of the Home Government, from whom they have ever experienced the utmost consideration.

6th Resolution—Proposed by H. J. Elsdon, Esq., and seconded by Mr. H. Yelverton, —That a copy of the resolutions passed at this meeting be presented to his Excellency the Governor by the chairman, and that the same be signed by him on behalf of the meeting.

R. M'B. BROUN, Chairman.

No. 8.

No. 8.

COPY of a DESPATCH from Governor FITZGERALD to the
(No. 12.) Duke of NEWCASTLE.

Government House, Perth, January 18, 1854.

(Received April 4, 1854.)

MY LORD DUKE,

Answered No. 55, April 22, 1854, page 205.)

I HAVE the honour to transmit a memorial to your Grace at the request of the heads of families at Fremantle who appear to have taken alarm at what they are pleased to term the limited number of the military force, as also at the arrangement for giving the guards, and their withdrawal by day. The more immediate causes of this alarm on the part of the inhabitants of Fremantle have arisen from the fact of three convicts having escaped from a bathing party, but who were recaptured within thirty-six hours.

2. The withdrawal of part of the guard by day was adopted by Captain Bruce, the staff officer commanding the pensioner force, from his anxiety to give those pensioners with large families an opportunity of contributing by their daily labour some additional support to their families, it being clearly ascertained that the enrolled pay was not sufficient for their maintenance.

3. Having taken upon myself as stated in my Despatch No. 8 of January 17, to authorize the issue of rations to those pensioners doing military duty at the

regulated stoppage, which I trust under the circumstances may meet with your Grace's approval, the objections of the memorialists on this point are fully met, as now there is a full guard mounted throughout the day as well as night.

4. I cannot well understand what the memorialists mean when they allude to the frequent escapes of convicts, I believe in the last three years there have only been five attempts at escape, and on every occasion the runaways have been recaptured within three days, with one exception, but not one deserter has yet succeeded in escaping from the colony.

5. The observation of the memorialists with regard to the police and their equipments, is not without some force, as the men were too few in number and that number almost without any equipment, which the assistant commissary general had applied for more than two years back from home without any notice being taken. These equipments have now however been purchased in the colony, and the force at Fremantle augmented by two mounted men, and all fully equipped and organized in such a way as must satisfy all parties.

6. In conclusion, with sixty or seventy sappers at my command, a similar number of pensioners, the land and water police, I have little doubt I have a force at hand to meet any attempted outbreak or emergency.

I have, &c.

The Duke of Newcastle, (Signed) CHARLES FITZGERALD.
&c. &c. &c.

Enclosure in No. 8.

Encl. in No. 8.

To his Excellency Charles Fitzgerald, Esquire, Governor and Commander-in-Chief of the colony of Western Australia.

The Memorial of the undersigned Heads of Families resident in the Town of Fremantle,

Humbly Showeth,

YOUR memorialists beg most respectfully to bring under your Excellency's notice the necessity of providing more efficient means for the preservation of the public peace and the security of lives and property in this town and neighbourhood, as rendered necessary from the large number of prisoners in the convict establishment, and from the frequent escapes of late of some of the most desperate characters, who have when at large committed robberies and put in bodily fear several settlers.

Your memorialists would most respectfully take leave to observe that the military protection at present afforded is insufficient. The protection which your memorialists feel they have a just claim to, is one which can only be afforded by the presence of a party of regular troops ready for duty at a moment's warning; and they would further remark that as a permanent convict establishment is fixed at Fremantle, the presence of at least two companies of regular troops would be absolutely necessary to afford that security to their families, persons, and property which they have a right to expect.

Your memorialists would most respectfully call your Excellency's attention to the position of Fremantle, and the length of time that must elapse in communicating with Perth, and to the number of prisoners at present in the establishment, about 800—men of strength and activity, whilst the whole free male population is but 950, including children. At night the guard at the prison consists only of twelve men in charge of a corporal, a force totally inadequate to prevent a general outbreak, and by day, when the whole of the prisoners attended only by unarmed warders are employed at work in the town, there is no available organized force that could be called upon on a short notice in case of an outbreak to prevent a sacrifice of life and property. The Royal Sappers and Miners being employed on government works, and distributed all over the colony, and the enrolled pensioners (now doing duty), against whom your memorialists have no grounds of complaint, but they are without officers, consequently cannot be as effective as troops with them.

Your memorialists would also respectfully represent to your Excellency the ineffective state of the mounted police, consisting as at present of only one man and one native, badly horsed and accoutred; that at the time of the late escape of four prisoners, had the mounted police been efficient, as regards numbers and appointments, there is no doubt these prisoners would have been captured within one hour of the escape, and thereby severe alarm would have been saved to many families.

Your memorialists would respectfully request your Excellency to represent to the Secretary of State the small military force in this colony in proportion to the convict population, and the necessity for two companies of the line to be stationed at Fremantle for the safety of its inhabitants; and in the meantime your Excellency will be pleased to direct that the detachment of the 99th should be stationed at Fremantle.

WESTERN
AUSTRALIA.

Your memorialists would also beg respectfully to urge on your Excellency's attention that should Her Majesty's Government not comply with their request, that your Excellency will point out the necessity of sending officers with the pensioners, for without them they are not an efficient force for the protection of the inhabitants.

[Here follow 51 signatures.]

No. 9.

No. 9.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 25.)

Government House, Perth, February 18, 1854.

(Received June 12, 1854.)

MY LORD DUKE,

(Answered No. 22, August 29, 1854, p. 214.)

IN transmitting the accompanying return called for in your Grace's Despatch No. 58 of the 14th of May last, showing the number of clergymen of different religious persuasions salaried by Her Majesty's Government in connexion with the convict establishments in this colony, I take leave to remind your Grace that, in my Despatch No. 102, of the 18th of October 1853, I did myself the honour to report having increased the stipend of the Roman Catholic Chaplain of the convict establishment at Fremantle from 100*l.* to 200*l.* a year, consequent on the arrival of the two last convict ships from Ireland with 600 Roman Catholic prisoners—a circumstance the Roman Catholic bishop did not fail to take advantage of, in pressing most urgently that the Roman Catholic chaplain of the establishment should have every consideration as regards salary and allowances that was given to the Protestant chaplain; but not content with this application, his lordship further urged that as now the Roman Catholic prisoners outnumbered the Protestant, the Roman Catholic chaplain should be styled the Chaplain, and the clergyman of the minority be given the prefix of Protestant, which latter proposition I declined to entertain.

2. Having arranged with regard to the salary of the Roman Catholic chaplain of the establishment as above detailed, the next consideration that presented itself was on what terms provision could be made for the religious instruction of the Roman Catholic prisoners detached on road parties.

3. To a right understanding of the difficulty that presented itself on this point, and in some degree to account for the high demand made by the bishop, as will be subsequently shown, I have to state that, independently of the prisoners residing within the prison at Fremantle, there are now five probation parties of this class employed on the roads—three in the Guildford district, detached on the York, Toodyay, and Bindoon roads, the remaining two being in the Fremantle district, located at North Fremantle and Freshwater Bay, both of which parties are employed making the line of road between the principal port and the capital.

4. I have further to state that the greater part, if not nearly the whole of these five road parties, are Roman Catholics, who have evinced on more than one occasion a praiseworthy anxiety to have the visit of a priest; and aware as I am of the power possessed by Roman Catholic clergymen over the feelings and actions of the class under consideration, I felt it became absolutely necessary that these men should be constantly visited by their priest.

5. In a personal interview with the Roman Catholic bishop I went into the whole matter, as to the amount of stipend that would satisfy his clergyman for making weekly visits to these different road parties.

6. The bishop, as I was prepared for, dwelt with much force on the very high cost of refreshments at the way-side houses, as also of forage, both of which expenses his clergymen would be unavoidably subject to from the long distance they would have to ride occasionally—40 miles going out, and a like number on returning; and further observing that to visit the parties I mentioned it would at least require forage for two horses to be kept in Perth, where all his clergymen reside, in consequence of the number of free Roman Catholics in the rural districts being too few to bear the expense of a resident clergyman. In short, your Grace, the Bishop knew the Government was in a difficulty, as he had only to say, "If you do not come to my terms I will not allow my clergymen to visit." I therefore requested he would put his views on paper, which were submitted

to the finance board, with the expression of my wish that they would solicit a personal interview with his Lordship.

7. The board, after seeing the Bishop, and hearing his Lordship recapitulate the amount of personal labour, expense, &c. which would of necessity be entailed upon his clergymen by their meeting the views of Government, came to the determination of recommending for my consideration that the Roman Catholic clergymen receive twenty-one shillings for each weekly visit they make to these five road parties, together with forage allowance for two horses at the Perth scale.

8. The remuneration and allowances just detailed, inclusive of that allowed to the Roman Catholic chaplain, amount in round numbers to the sum of 680*l.* a year, the cost of religious instruction to 708 Roman Catholic prisoners—a large sum when compared with 780*l.*, the whole amount of salaries and allowances given to Protestant chaplains chargeable on convict funds for the religious instruction of 1,404 Protestant prisoners and ticket-of-leave men. There are, however, out of this number 883 in private service, while 88 Roman Catholics are similarly situated, leaving 521 Protestant and 620 Roman Catholic prisoners and ticket-of-leave men dependent on Government for religious instruction.

9. It is necessary to observe that the present arrangement and cost of religious instruction is such as to meet, without any increase of expense, an additional number of either Protestant or Roman Catholic prisoners.

10. I have the honour herewith to forward to your Grace a copy of the Minute of the Convict Finance Board, showing the views of these officers on this question.

I have, &c.

(Signed) CHARLES FITZGERALD.

The Duke of Newcastle,
&c. &c. &c.

WESTERN
AUSTRALIA.

Encl. 1 in No. 9.

Enclosure 1 in No. 9.

RETURN, showing the Name of each Clergyman or other Religious Instructor receiving a Salary or Allowance, with the Religion to which he belongs, showing the Office or Service in which his Salary or Allowance is paid, also the Number of Prisoners and Ticket of Leave Holders of each Denomination, with the Amount of Salary paid to each Clergyman or Religious Instructor in the Colony.

Station.	Name.	Religion.	Office.	Convicts.		Ticket of Leave Holders.			Amount of Stipend.		Remarks.
				Protestant.	Catholic.	Hiring Depôts.	Private Service.		£	s. d.	
Fremantle	Rev. Z. Barry	Protestant	Col. Chaplain	-	-	-	123	-	100	0 0	Rations and quarters.
Chief Establishment	Rev. J. Brown	Do.	Con. Chaplain	280	-	-	-	-	200	0 0	Ditto.
Do.	Rev. Tim. Donovan	R. Catholic	Con. Chaplain	-	348	-	-	14	200	0 0	£30 in lieu of quarters.
Do.	Walter Baughan	Protestant	Schoolmaster	-	-	-	-	-	120	0 0	Quarters.
Do.	R. H. Drake	Do.	2d ditto	-	-	-	-	-	80	0 0	
North Fremantle Branch	Rev. J. Brown*	Do.	Con. Chaplain	15	-	-	-	-	Nil.		
Do.	Do.	R. Catholic	Do.	-	67	-	-	-	54	12 0	Forage, 63 <i>l.</i> 17 <i>s.</i> 6 <i>d.</i>
Clarence Branch	Rev. J. Brown*	Protestant	Do.	8	12	-	-	-	Nil.		
Freshwater Bay	Do.*	Do.	Do.	5	-	-	-	-	54	12 0	
Do.	Do.	R. Catholic	Do.	-	44	-	-	-	-		
Guilford Branch and Road	Rev. W. Williams	Protestant	Col. Chaplain	30	-	17	95	-	50	0 0	And forage 63 <i>l.</i> 17 <i>s.</i> 6 <i>d.</i>
Parties	Do.	R. Catholic	Do.	-	99	-	-	6	163	16 0	
Mount Eliza Depot	Do.	Protestant	Do.	-	-	25	239	-	Nil.		
Do.	Do.	R. Catholic	Do.	-	-	9	-	23	Nil.		
Toodyay	Rev. C. Harper	Protestant	Col. Chaplain	-	-	27	124	10	50	0 0	And forage.
York	Rev. H. Pownall	Do.	Do.	-	-	21	96	10	100	0 0	
Bunbury	Rev. H. Brown	Do.	Do.	-	-	22	47	5	100	0 0	
Albany	Ven. Arch. Wollaston	Do.	Do.	-	-	9	59	5	50	0 0	
Port Gregory	Do.	Do.	Do.	-	-	23	66	9	Nil.		
Albany Road	Do.	Do.	Do.	-	-	31	-	-	Nil.		
Do. Survey Party	Do.	Do.	Do.	-	-	8	-	-	Nil.		
Murray	Do.	Do.	Do.	-	-	-	11	-	Nil.		Total Protestants 1404
Canning	Do.	Do.	Do.	-	-	-	10	-	Nil.		Total R. Catholics 708
Vasse	Do.	Do.	Do.	-	-	-	13	1	Nil.		
				338	570	183	883	50			

• No extra pay is received by these gentlemen for these services.

Fremantle, Western Australia, January 16, 1854.

(Signed)

Rd. McB. BROWN, Registrar.

Enclosure 2 in No. 9.

WESTERN
AUSTRALIA.

Encl. 2 in No. 9.

(MINUTE II.)

Western Australia, Convict Finance Board,
Perth, January 26, 1854.

THE subject of Roman Catholic visiting chaplains to Guildford and Fremantle road parties being again under consideration, a letter from the right rev. Bishop Salvado, dated January 17, was read, stating that the visiting Roman Catholic chaplain to the Guildford depôt and road parties should have 150*l.* per annum and forage allowance for a horse, and that the two visiting chaplains to North Fremantle and Freshwater Bay stations should each have 40*l.* per annum and forage allowance for a horse.

A letter from the colonial secretary dated January 23, on this subject was also read.

The Governor in his marginal note requests the committee will consider the scale of remuneration to be granted to the Roman Catholic visiting chaplains for Guildford and the road parties in that district, and those for North Fremantle and Freshwater Bay; as the sum of 50*l.* per annum for each of these stations as recommended by Minute VI. of Dec. 24, 1853, appears to his Excellency inadequate to meet the expenses unavoidable on this service.

The right rev. Bishop Salvado, before the committee, represents the difficulties attending the religious instruction of convicts on road parties, and alluded to his having rather underrated than otherwise the actual expense consequent on these long journeys which are always attended with considerable outlay, and also as all the services have to be performed fasting, it involved more rapid travelling than if these chaplains were Protestant clergymen.

During his Lordship's interview with the Committee, he entered into an explanation of the difficulties attending the services required of his chaplains from the circumstance of their all being resident in Perth, and none near their work, and regretted his inability to detach any one of them for any particular service in consequence of the smallness of his number of priests.

His Lordship having withdrawn, the Committee proceeded to discuss the question in all its bearings, and came to the following decision which they submit for the Governor's approval:—

One clergyman to visit the Guildford depôt and York and Toodyay Road parties, each once a week, for which he will receive 3*l.* 3*s.* per week, being 1*l.* 1*s.* for each visit, and forage for one horse for the whole; and one chaplain to visit North Fremantle and Freshwater Bay weekly for which he will receive 2*l.* 2*s.* per week, being 1*l.* 1*s.* for each visit, and forage for one horse for the whole.

Two recipients only for forage being only recognized.

The 21*s.* each visit will be paid on the certificate of the officer in charge of the depôt or road party, showing on the face of the return for payment the number of visits actually made by one or other of the chaplains, the names being stated. Forage allowance to be at Perth rate, which with the salaries will be paid in Perth on the written authority of the bishop. This arrangement is proposed because it is not likely any one chaplain can be named for any one particular service.

The amount to be defrayed on this account will be as follows:—

	£	s.	d.	
Guildford	-	54	12	0 per annum.
York Road	-	54	12	0 "
Toodyay Road	-	54	12	0 "
North Fremantle	-	54	12	0 "
Freshwater Bay	-	54	12	0 "
Two forage allowances at 3 <i>s.</i> 8 <i>d.</i> per diem each	-	133	16	8 "
Total	-	£ 406	16	8 "

The Committee, to afford a view of the actual outlay for Roman Catholic purposes, beg to add the pay and allowances of the Roman Catholic chaplain at Fremantle:—

	£	
Pay	-	200 per annum.
Allowance in lieu of quarters	-	50 "
Rations	-	23 "
Total	-	£ 273 "

Making a total in the whole of 679*l.* 16*s.* 8*d.*

The Committee, in conceding this large amount remark, that this unavoidable expense is thrown upon convict funds, in consequence of the large number of Roman Catholic prisoners on the hands of Government; besides which, from the benefit these men (all Irish) derive from the occasional presence of a priest, it becomes a question of paramount importance as tending to the maintenance of order and regularity, that they should be visited at the several detached stations, and the free Roman Catholic community being so limited that there is no public service of this persuasion at or near these stations, hence the whole expense falls on convict funds.

By order of the Board,
ALFRED DURLACHER,
Clerk to the Board.

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No. 10.

No. 10.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 28.)

Government House, Perth, February 20, 1854.

(Received June 12, 1854.)

My LORD DUKE, (Answered No. 10, July 22, 1854, Page 212.)

MY attention having been for some time called to the very great expenditure and waste of medicines at the various depôts for prisoners and ticket of leave men throughout the colony, also the very negligent manner in which the sick are attended to, arising in some cases from ignorance, where ticket of leave men have from necessity been given medical charge, such being the best means that offered for providing for the wants of the service.

I have therefore felt it my duty to bring the whole question before the Finance Board, whose minute I do myself the honour to transmit, by which your Grace will perceive the Board strongly recommend that staff surgeon Galbraith, the principal military medical officer, be appointed principal and visiting medical officer over the whole of the medical department in connexion with the convict service in this colony, with an allowance of five shillings a day and payment of his travelling expenses.

Believing my Lord Duke that this appointment so far from adding to the convict expenditure, will on the whole, effect a considerable reduction, and at the same time conduce much to the general efficiency of this branch of the service, I am induced to recommend the proposition to your Grace's favourable consideration.

I have, &c.

The Duke of Newcastle, (Signed) CHARLES FITZGERALD.
&c. &c. &c.

Encl in No. 10.

Enclosure in No. 10.

(MEMORANDUM.)

Western Australia, Convict Finance Board,
Perth, February 6, 1854.

MINUTE V.—Read letter from Colonial Secretary dated 6th February, stating that his Excellency's attention has for some time past been called to the many irregularities occurring in the branch medical department of the convict establishment throughout the colony, and the consequent waste of medicines and medical comforts which must necessarily occur at all or most of the depôts, and suggesting the appointment of a principal medical officer for the convict department, and the marked advantage to the service if Staff Surgeon Galbraith, P.M.O. to the forces were placed in a similar position with regard to the convict department in this colony, the salary and allowances for such duty being left to the committee to recommend.

The committee fully concur with his Excellency, and recommend the appointment of Dr. Galbraith, with pay of 5s. per diem, and actual expenses when travelling.

The board have had repeatedly to remark on the paucity of medical practitioners in this colony, competent to fill the post of medical attendants at the various depôts, and therefore it becomes urgently necessary that the depôts should be visited from time to time by an inspecting officer, to control the acts of the resident medical attendants.

The committee in proposing that the principal medical officer should receive 5s. per diem, from the period of his commencing his duties, recommend that this payment should not be made until the sanction of the Secretary of State is received,

By order of the Board,

ALFRED DURLACHER, Clerk to the Board.

No. 11.

No. 11.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 29.)

Government House, Perth, March 6, 1854.

(Received June 1, 1854.)

My LORD DUKE, (Answered No. 24, September 1, 1854, Page 214.)

THE very limited medical staff placed at my disposal with reference to the convict service having obliged me, on more than one occasion, to call in the services of military medical men, and having submitted the charges made by

these officers on such occasions invariably to the committee of finance, I do myself the honour to transmit the minute of the board, who, finding some difficulties to present themselves in the matter have requested me to bring the whole subject under your Grace's consideration for decision.

The cases generally that have called for the services of these medical officers have been the examination of the best candidates who offered for medical charge of depôts, many of them being ticket of leave holders, with some knowledge of compounding medicines; and again when complaints have been made from the depôts of the negligent or ignorant treatment of patients by these men; or in cases of unexpected deaths; and lastly in the examination of rations when complained of, as being unfit for use at any of the outstations, on all such occasions, military medical men have been thought the most fitting persons to inquire into and report to the Government on the merits of each case.

I have therefore the honour to request your Grace's instruction as to what fee military or civil medical officers are to receive when employed by this Government on boards of survey or other duties in connexion with the convict service in this colony; and in conclusion, it is necessary for me to observe that these medical officers have been in the habit of charging 2*l.* when employed on special service, while the amount, fixed by one of your predecessor's Despatches, to military surgeons doing colonial duty, or to the colonial surgeon doing military duty, is 5*s.* per diem.

I have, &c.

The Duke of Newcastle, (Signed) CHARLES FITZGERALD.
&c. &c.

Enclosure in No. 11.

Encl. in No. 11.

Western Australia, Convict Finance Board,
Perth, January 26, 1854.

(MINUTE III.)

(Extract.)

THE colonial secretary recommends that the general question as to what remuneration in the shape of fees army or civil medical officers in the pay of Government, but not connected with the convict service, are to be allowed, when employed on convict service, should be left for the decision of the Secretary of State, to whom his Excellency is respectfully requested to refer the matter.

The other members concur.

By order of the Board,

ALFRED DURLACHER, Clerk to the Board.

No. 12.

No. 12.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 30.)

Government House, Perth, March 6, 1854.

(Received June 12, 1854.)

MY LORD DUKE,

(Answered No. 13, July 25, 1854, page 212.)

THE original scale of rations recommended and acted on when convicts first arrived in this colony was necessarily a very liberal one, with the view of giving to those men no cause or plea for discontent, at a time when there was not even the semblance of an enclosed prison for their safe custody.

2. This state of things, from the improved organization in the provisional prison, no longer existing, I considered it advisable to have the whole scale of rations reconsidered, with a view to its reduction.

3. Captain Foss, staff officer of pensioners, Dr. Rennie, assistant surgeon O.D., in medical charge of the convict establishment, and Deputy Assistant Commissary General Fagan, were therefore instructed to inquire into and report upon what they might consider a fair and proper ration; after, in the first instance, examining all the prison authorities, and visiting the prison at the close of the dinner meal, with the view of ascertaining the amount of meat and bread remaining unconsumed.

4. The report of this board now before me recommended the reduction of meat to 12 oz. daily, whereas until very lately 18 oz. had been the ration. The

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board also offer various other suggestions, and observe upon the quantity of meat unconsumed after dinner, which they are of opinion is so much waste, especially in the hot season.

5. On submitting this report to the comptroller general and superintendent of the prison, they took the strongest objections to the recommendations made by the board; the comptroller general being of opinion that they had not given that full consideration to the question its importance required, and that, with the insecurity of the present prison, he thought it very hazardous making such experiments (for such he considered so large a reduction in the ration,) with 600 prisoners in custody.

6. I confess myself unable to concur in the views of the comptroller general, but as opinions emanating from such a source, as well as those of so experienced a prison officer as the superintendent, Mr. Dixon, naturally claim great weight, I have felt it due to those gentleman to have the matter further considered, and with that view directed a second board of officers, consisting of the colonial secretary, Captain Bruce commanding the pensioner force, and Staff Surgeon Galbraith principal medical officer, to inquire into and report upon the whole subject; at the same time placing before them the recommendations of the first board, and the views of the comptroller general, the assistant comptroller general, and Mr. Dixon, the superintendent of the prison.

7. This latter board very properly, in my opinion, considered the matter not only with reference to the saving in expense that might be effected, but also with regard to its important bearing with respect to the discipline of the establishment; keeping in view the general character of the provisional prison, the absence of cells for separating such large numbers, with various other reasons, under the influence of which they have come to the conclusion that the reduction recommended by the first board was too great, and suggesting in lieu that the winter ration of meat be fixed at 16 oz. daily, and the summer ration at 14 oz., with 26 oz. of bread daily for both seasons.

8. The views of this board having my full concurrence, and no objection having been made by the comptroller general to its recommendations, I have directed the assistant commissary general to be governed absolutely in his issues of rations by the scale laid down by the second board, which accordingly came into force the 1st February last.

9. This scale I trust your Grace will consider fair and just, and one that ought to suffice for prisoners of the Crown, who will even then, looking at the condiments they receive, be better rationed than Her Majesty's navy or army, the necessity for or claim to which I have not been able to comprehend.

10. I learn from the assistant commissary general that the new scale compared with the one until very lately in use will effect a saving of 2,800*l.* yearly in the victualling of 1,000 men, which I compute as the average number that is likely to be on the hands of Government.

11. I do myself the honour to transmit the reports of both boards, the views of the comptroller general, those of Assistant Commissary General Mends, and of Mr. Dixon, the superintendent of the prison, on this very important question.

I have, &c.

(Signed) CHARLES FITZGERALD.

The Duke of Newcastle,
&c. &c. &c.

Encl. 1 in No. 12.

Enclosure 1 in No. 12.

PROCEEDINGS of a Board of Officers directed by Captain Henderson, R.E., in garrison orders dated 30th ultimo, pursuant to instructions from his Excellency the Governor, to assemble at Fremantle, Western Australia, "for the purpose of inquiring into and reporting upon the present scale of rationing, including extra rations, as now in force in the prison, and generally throughout the convict department, with a view to ascertain as to their suitableness, adequacy, or otherwise. The board to consist of,

" Captain Foss, staff officer of pensioners, President;
" Assistant Surgeon D. Rennie, O.M.D. surgeon to the establishment; } members."
" Deputy Assistant Commissary General Fagan,

The board having met according to order, called upon the superintendent of the convict establishment to state his opinion as to the existing scale of diets at present in issue to the prisoners, viz.,—

(For scale, see "Issues in Kind," Memorandum 31, of 27th May 1852.)

First Diet.—Full or prison diet,—states: breakfast ample, and not too much. Dinner, 2 oz. of fresh meat has been struck off; no other reduction suggested, except pepper, which may fairly be reduced to one half of the present scale. Supper ample, but no reduction suggested. Extras—suggests the reduction of sugar in lieu of milk; the increase from $\frac{1}{2}$ to 1 oz. of sugar when rice is issued in lieu of vegetables.

Second Diet.—Hard labour or men returned under magisterial sentence. Breakfast ample, but no change suggested. Dinner ample, but no change suggested except the reduction of pepper as stated above. Supper ample, but no change suggested. Extras—the same change suggested as stated in Diet No. 1.

Third Diet.—For men in separate confinement. Breakfast, dinner, and supper, ample, but no change suggested, except as regards the reduction of the pepper.

Fourth Diet.—Punishment. No change suggested.

Substitutes.—Suggests that when salt meat is issued in lieu of fresh meat that equal quantities should be considered a substitute, except in as far as diet No. 2 is concerned, and that that should continue as at present—1 lb. of salt meat in lieu of 12 oz. fresh meat; 6 oz. of rice to be considered equal to 1 lb. of potatoes; 4 oz. of preserved potatoes to be still considered the proper substitute in lieu of rice or potatoes; $1\frac{1}{2}$ lb. of cabbage or turnips or 2 lbs. of pumpkins to be considered equal to 1 lb. of potatoes. No other alteration in the substitutes appears necessary.

Special Extras.—For sawyers and blacksmiths, viz., 6 oz. bread and 8 oz. meat per man per working day; no change with regard to the bread; suggests a reduction of 2 oz. of the meat.

Infirmary.—States that the diets authorized for a soldier in the accompanying scale is what is acted upon, and does not think any alteration necessary.

(Surgeon of convict establishment approved scale, dated 1st December 1851, attached herewith.)

Superintendent, Convict Establishment,—

Bakery.—Suggests no alteration with regard to this service, except that authority be granted to use $1\frac{1}{2}$ lbs. of potatoes in lieu of 1 lb. of flour, as the sponge will not rise sufficiently without this mixture.

Kitchen.—No alteration suggested.

Washhouse.—Soap for all purposes to be at the rate of half an ounce per man per diem, and if soda should be issued, equal weight of soap to be reduced in lieu; no other alteration suggested.

The board duly considered the statement of the superintendent, and having carefully scrutinized the important matter upon which they are called upon to report, will first state their opinion of the various scales of rations of provisions issued within the prison; but before entering upon this subject, the board are anxious that it should be borne in mind that their judgment of a "sufficient and wholesome ration is founded upon what they deem necessary for any labouring man, and that the question of punishment has not entered into their calculations.

The board visited the prison at the dinner hour, and having paid particular attention and personally inspected the several diets issued at present, are of opinion that the first or full prison diet is much in excess of what they consider either requisite or necessary as a "sufficient and wholesome ration," and they have no hesitation in stating their conviction that of the dinner meal seen by them, a large quantity could not be consumed, and hence a consequent waste of valuable food.

In arriving at this decision the board have been guided by an examination of the appearance of the men subsisted on the first class diet, and of reconvicted hard labour prisoners, and judging from the condition and stout, robust, healthy look of the latter, as well as from their own admission, when asked that they "had sufficient," the board are unanimously of opinion that the whole ration system requires revision, and that the first class diet ought at once to cease; and to place the views of the board before his Excellency the following scales are submitted, viz.:

Scale 1.

For Probation, Hard Labour, or reconvicted and Ticket-of-leave Men throughout the Colony. A Ration per man per diem.

Breakfast.	Dinner.	Supper.	Extras.
Tea, $\frac{1}{8}$ of an ounce. Sugar $\frac{3}{4}$ of an ounce. Bread 12 ounces.	Meat, 12 ounces. Potatoes, 16 ounces. Salt, $\frac{1}{4}$ ounce. Barley or Rice, $\frac{1}{2}$ ounce. Pepper, $\frac{1}{4}$ of a drachm.	Tea, $\frac{1}{8}$ of an ounce. Sugar, $\frac{3}{4}$ of an ounce. Bread, 8 ounces.	Four-16ths of an ounce per man per diem, personal ration, and $\frac{6}{16}$ of an ounce of Soap per diem per man, to be allowed for all other purposes at present issued separately, in all $\frac{10}{16}$ of an ounce of Soap per man per diem—not to be allowed ticket-of-leave men.

Scale 2.

For Men in separate confinement. A Ration per man per diem.

Breakfast.	Dinner.	Supper.	Extras.
Tea, $\frac{1}{8}$ of an ounce. Sugar, $\frac{3}{4}$ of an ounce. Bread, 8 ounces.	Meat, 8 ounces. Potatoes, 16 ounces. Salt, $\frac{1}{4}$ ounce. Barley or Rice, $\frac{1}{2}$ ounce. Pepper, $\frac{1}{4}$ of a drachm.	Tea, $\frac{1}{8}$ of an ounce. Sugar, $\frac{3}{4}$ of an ounce. Bread, 8 ounces.	The same as scale No. 1, for Soap.

Four ounces of bread and four ounces of meat per man each working day to be allowed as an extra to blacksmiths and sawyers only, and no other extra allowance to be authorized.

Scale 3.

Punishment Diet. One pound of Bread per man per diem.

SUBSTITUTES.

When salt or preserved meats are issued on scale No. 1, one pound of either to be issued in lieu of the twelve ounces of fresh meat; when salt or preserved meats are issued on scale No. 2, ten ounces of either to be issued in lieu of the eight ounces of fresh meat.

Four ounces of preserved potatoes, or six ounces of rice, or twenty-four ounces of cabbage, or twenty-four ounces of turnips, or thirty-two ounces of pumpkin, or six ounces of peas, or four ounces of onions or leeks, to be considered an equivalent for one pound of potatoes.

No other substitute to be recognised or allowed, except when men are in a position that bread cannot be supplied, and in such case eighteen ounces of flour to be deemed as equal to the ration of bread; the practice of flour being issued in lieu of vegetables, to be discontinued as rice is always procurable, and is a more legitimate substitute for vegetables; the ration of sugar with rice, when the latter is issued in lieu of vegetables is considered quite unnecessary, and the board suggest the immediate discontinuance of this allowance. A 32nd part of a pint of vinegar per ration is recommended to be issued with each ration of salt meat; 4-16th of an ounce of soap to be considered, as at present, the personal ration per man per diem, and the remaining 6-16th of an ounce to be allowed for all other purposes, and no excess of this quantity ought to be recognised. Soda may be issued, but a reduction of an equal quantity in weight of soap to be made.

The board assembled on the 2d instant, and they met from day to day to the present date, in order to give their proceedings the greatest consideration; and having again inspected the prison after the prisoners had finished their dinner, the attention of the board was drawn to the immense surplus remains of provisions, consisting of large quantities of rice, meat, soup, and some bread, and viewing this as a most important and practical illustration as well as a decided confirmation of their expressed opinion, that the present issues are "excessive," they deemed it expedient to take the evidence of some of the warders on this point, and the statement of three of them is subjoined.

Chief Warder Fitzsimmons states, that what the board saw to-day, is a fair average of what is daily left from the prisoners' dinners; that he has had four years experience, and that he himself conceives the quantity of food allowed to be excessive and quite unnecessary.

Principal Warder Gardner makes the same statement, except that perhaps there was a little more rice than usual left to-day.

Warder H. P. Linthorne states, that he is in charge of a division in which are living probation and hard labour prisoners, that the latter do not eat all their food, and considers the ration enough for any man; and having served nearly three years, considers what the board saw to-day was a fair average of the surplus left daily untouched.

In transcribing, for his Excellency's information, the foregoing statements and observations, the board respectfully beg to state that they have not lost sight of the objection that might be made to reduce the probation prisoners to the same scale of diet as the hard-labour, or reconvicted men; but the board cannot recognize this principle, neither do they conceive that the discipline of the prison requires an excessive quantity of food to be issued to the first class, and the distinction between both classes will still continue to be sufficiently marked by the issue of that important indulgence—tobacco.* And before closing their proceedings, the board cannot help giving expression to their opinion that there has been an unjustifiable waste of human food, and they would urge the importance of the revised scale being brought into operation with as little delay as possible.

With regard to the hospital, the board do not deem any alteration in this respect expedient, and do not see any objection to the issue of 1½ lb. of potatoes to the bake-house when required, in lieu of one pound of flour.

(Signed) C. VAUGHAN FOSS,
Captain and President.
D. F. RENNIE, M.D.
Assistant Surgeon, O.M.D., Surgeon, C.E. } Members.
W. J. FAGAN, D.A.C.G.

Fremantle, Western Australia, December 5, 1853.

* Not issued to the hard labour prisoners.

Enclosure 2 in No. 12.

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AUSTRALIA.

Encl. 2 in No. 12.

Comptroller General's Office, Fremantle,
December 21, 1853.

SIR,

IN forwarding for his Excellency's consideration the report of the board of officers assembled for the purpose of inquiring into, and reporting on, the present scale of rations for convicts in prison, and generally throughout the convict department, I deem it my duty, as the head of that department, respectfully to express to his Excellency my opinion, that the board have not given the subject confided to them that full and lengthened consideration and inquiry which its great importance ought, I think, to have insured.

I presume, that in deciding on a scale of rations for an immense body of men under every variety of circumstance and labour, the object to be attained is a ration which will enable an able-bodied labourer to perform a hard day's work, and a ration at the same time sufficient to keep him in good health during a period of imprisonment often extending over a long course of years—a period during which the prisoner is deprived of all those means of excitement and enjoyment which constitute half the value of life, and from the intimate connexion between the state of the mind and the body, tend more than actual food to keep the latter sound and healthy.

That men have undergone the severest privations as regards food, and still been well and healthy, is a very notorious fact, and it is equally notorious that men confined in prisons and deprived of a fair and proper amount of food become diseased and decrepit in an incredibly short space of time.

The trouble and attention which have been paid to this very difficult and complicated branch of prison discipline are evident from the numerous reports and experiments which have been made on the subject.

The experiments at Pentonville, Parkhurst, and Portland prisons have been most elaborately made, and his Excellency will perceive by the accompanying comparative scale of rations that the scale of Portland prison is almost identical with that now in force in the Fremantle prison.

With this information, only gathered after long experience and many experiments, I certainly conceive that the ration in force here, with some minor modifications to meet local circumstances, though it may occasionally be more than every prisoner will consume, is no more than adequate to preserve the health of an able-bodied man and enable him to do a fair day's work.

On this subject I beg respectfully to refer his Excellency to the report of the surveyor general of prisons, (p. 27.) on convict prisons, 1850, and also to the statement in the report on Portland prison, that the scale now in force had only been adopted after a less ration had been tried and found insufficient.

If the scale of rations is to be fixed on the principle I have laid down, and which is the only just one; I defy any scale to be fixed which will not give a surplus of provisions—a surplus which will vary with the weather and with a thousand circumstances which affect the appetites of the men.

The three principal items in a convict's daily ration are, bread, meat, and vegetables. Of these the bread is unquestionably the most important part of the ration, and this ration the board have recommended, without I think proper consideration, to be no less than nearly one fourth less than at Portland prison, viz.: twenty ounces instead of twenty-seven ounces daily.

It must be remembered that the prisoner rises at 5 a.m. and continues at work till 8 a.m. when he receives his breakfast, a piece of dry bread and a mug of tea; he works again till 12, when he gets his dinner, and when the labour of the day is done, he has only for supper a piece of dry bread and a mug of tea.

The ration recommended by the board is very considerably less than any ration issued in any prison at home or abroad; and while those rations have been fixed after long and careful inquiry, the ration here is proposed, after one or two day's examination of one establishment, to be most materially reduced.

As regards the quantity of meat, a few experiments might be made to ascertain what average quantity of meat remains after cooking and extracting the bone of one pound of meat; I think a regular ration of six ounces of cooked meat without bone a very sufficient ration, and it would be most desirable in every way, if the practice of all English prisons could be introduced here. There would then, I feel sure be little or no waste and much less trouble.

As a general rule, I do not think one pound of meat daily, more than a fair ordinary allowance, and though it may vary from the quality of the meat in the quantity per man, it is but a fair average allowance.

One pound of vegetables is not at all too much, and is the almost universal allowance—hitherto potatoes have been the exception and rice the rule—of the latter eight ounces have been issued in lieu of vegetables, although in point of nourishment there is no comparison, four pounds of rice being equal to one pound of flour; yet the allowance of rice may as well be reduced as the men do not consume it.

The ration, as at present issued is good, wholesome, and ample, but under the numerous complications of the case it is difficult to see how it can in justice be reduced as recom-

mended by the board, in the case of men whose lengthened punishment is not made in their food.

With regard to the waste of provisions, so strongly commented on by the board after their solitary inspection of the remains, and the opinions expressed by the three warders whom they thought fit to examine, I must say I consider there has been some exaggeration in the statement of the continual waste of human food which is reported to exist. I beg to enclose for his Excellency's consideration, the statement of the visiting magistrate, the superintendent, the deputy superintendent, and the steward, all of whom are equally (and certainly, in my opinion, more) qualified to give an opinion as to matters of fact than the warders who were examined.

I have already stated, and it is a matter of fact, that a body of 700 men, situated as these men are, must leave something after their dinners—scraps, bone, bits of fat, rice, and soup—some of which are always left; and the small amount left by a comparatively small number of men soon amounts to an apparently large quantity.

As regards rice, it has, from the unfortunate scarcity of potatoes, been in constant issue to the prisoners; none of them care about it, more especially the Irish prisoners. They do not believe that it contains much nourishment, nor am I of opinion that it does, and it only has been by the addition of sugar that they have been induced to consume it; as for the soup, it is merely the water in which the meat is boiled, with more rice and a little pepper in it.

The board have stated that they cannot recognise the principle of giving a different ration to the probation and re-convicted prisoners. In this I conceive the board have given their opinion with the same want of consideration; for the principle is one which has always, I believe been, and is still acted on, as a part of prison discipline, and is I conceive, a most salutary one.

The reconvicted prisoners occupy the same relative position here as the prisoners sent to Norfolk Island, where a marked difference in the ration was always maintained, and quite contrary to the opinion of the board. I believe there is no portion of the punishment which they dislike more, or which they more look upon as making the difference in their position with regard to other prisoners, than the fact of their receiving a smaller ration.

The Board, in the case of reconvicted men, took it for granted, because two of them said they had enough, that that ration was sufficient for the whole. They do not appear to have inquired of the men who require extra rations, whether they have enough, but reduce it without further inquiry.

As regards the former, I can only say, that if the opinion of the prisoners is to be taken, there will probably be a large increase in the ration; and I can only say that the statement of the two men is exactly opposite to the statement always made by the reconvicted men when sent to work on the roads, where their work could be accurately tasked, viz.: that they wanted more food.

As regards the issue of tobacco to probation prisoners, it must be remembered, that they have to pay for it themselves, which materially diminishes its value in their eyes; and a very large proportion of the prisoners do not use it at all.

I beg, in contradistinction to the conclusion of the Board, to submit for his Excellency's consideration a table showing the scale of rations issued at Portland prison, the scale now in force, and the scale which I would propose. In comparing these scales it must be remembered that for a very considerable portion of the year at Fremantle, and for a still greater portion at most of the outstations, potatoes are not procurable, and rice, which is much less nutritious and very much less palatable, is issued in lieu.

I must say, in conclusion, that I consider the Board have recommended very sweeping reductions; in consequence more of a surplus which they happened to see on the day of their visit, which was a close and sultry day, and on a few ex parte statements not to be relied on for so momentous a change, than upon the ground of what is a fair ration for an able-bodied prisoner.

It does not appear that they had attempted to get any information on the scales of rations in English prisons, or in the other convict colonies, or indeed upon any of the circumstances connected with this complicated subject, or the effects which a reduction in the value of the ration has been found to produce; on the contrary, they have recommended a much less ration than is in force any where else, and only four ounces of bread better than the ration allowed to convalescent convicts, which is the same as the military scale.

Nor do I think the board, in recommending this large reduction, have sufficiently considered the important bearing of rations on the whole question of prison discipline, a subject which has never come home to them, and in which probably they cannot take much interest.

I beg, however, respectfully to remind his Excellency, that we have had from 1,000 to 1,500 men in our charge, and those at the outstations, with few or no means of coercion or restraint; with a chief establishment totally unprovided with the means of enforcing stern and arbitrary punishment or discipline, and a body of prison officers, not one third of whom would be admitted into an English prison.

I submit, with all due deference, that it is rather hard to make such an establishment a theatre for experiments, on a subject which has been the immediate cause of the only disturbances which have occurred since the formation of this prison ; and which are totally opposed to the results of careful and laborious inquiry, as the scale of rations recommended by the Board would affect the whole interior economy of the department.

Recent events have shown the keen susceptibility to alarm on the part of the population, and I respectfully submit to his Excellency that any reduction in the scale of the convict rations, not fully justified by full and impartial inquiry and experiment, would be unjust to the hard-working portion of the convicts themselves, and without full preparation for any probable consequences, an unsafe and most mischievous policy ; and I must beg respectfully to observe, that full and deliberate inquiry and consideration has not, I conceive, been given or made by the board whose report I have now the honour to forward.

I have, &c.

(Signed) E. Y. W. HENDERSON.

The Honourable the Colonial Secretary.

&c. &c. &c.

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COMPARATIVE SCALE of RATIONS issued at Portland and other Prisons, with that proposed for Fremantle Prison, and the full Hospital Ration.

Items.	Portland Prison.	Proposed Fremantle Prison.	Hospital Ration approved (full).	New South Wales Prisoners' Ration.	Millbank Prisoners, not on Works.	Hulks.	Separate Pentonville.
Bread - -	27 oz.	20 oz.	16 oz.	27 oz.	22 oz.	27 oz.	20 oz.
Meat * -	6 oz. (cooked without bone.)	12 oz. raw meat (with bone).	12 oz.	16 oz.	5 oz.	6 oz.	4 oz.
Vegetables -	16 oz.	16 oz.	16 oz.	12 oz.	16 oz.	16 oz.	16 oz.

CONVICT ESTABLISHMENT, WESTERN AUSTRALIA, January 1854.

SCALE of DIET in present use at the above establishment.

Diets.	Breakfast.	Dinner.	Supper.	Substitutes.
Ordinary	$\frac{1}{2}$ oz. tea, $\frac{3}{4}$ oz. sugar, 12 oz. bread -	16 oz. meat, 16 oz. vegetables, 6 oz. bread, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ dr. pepper, $\frac{1}{2}$ oz. rice or barley.	$\frac{1}{2}$ oz. tea, $\frac{3}{4}$ oz. sugar, 9 oz. bread -	Salt pork 16 oz., with 8 oz. peas, and $\frac{1}{2}$ pint vinegar; 18 oz. fresh meat, and 16 oz. vegetables; rice 8 oz. and $\frac{1}{2}$ oz. sugar; 16 oz. vegetables, or 4 oz. preserved potatoes; sugar, 1 oz., 2 oz. milk, bread, 27 oz., 22 oz. flour.
Hard Labour	$\frac{1}{2}$ oz. tea, $\frac{3}{4}$ oz. sugar, 12 oz. bread -	12 oz. meat, 16 oz. vegetables, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ dr. pepper, $\frac{1}{2}$ oz. rice or barley.	$\frac{1}{2}$ oz. tea, $\frac{3}{4}$ oz. sugar, 8 oz. bread -	Salt meat, 16 oz. with 8 oz. peas; 12 oz. fresh meat, and 16 oz. vegetables; rice, 8 oz., 16 oz. potatoes, or 4 oz. preserved potatoes; sugar, 1 oz., 2 oz. milk, bread, 20 oz., or 16 $\frac{1}{2}$ oz. flour, preserved meat, 12 oz.; salt pork, 10 oz.
Separate Confinement	$\frac{1}{2}$ oz. tea, $\frac{3}{4}$ oz. sugar, 10 oz. bread -	10 oz. meat, 16 oz. vegetables, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ dr. pepper, $\frac{1}{2}$ oz. rice or barley.	$\frac{1}{2}$ oz. tea, $\frac{3}{4}$ oz. sugar, 10 oz. bread -	Salt meat, 8 oz., with 8 oz. peas; 10 oz. fresh meat, and $\frac{1}{2}$ oz. vegetables; rice, 8 oz., 16 oz. potatoes, or 4 oz. preserved potatoes; bread, 20 oz., 16 $\frac{1}{2}$ flour.
Punishment Extra	One pound bread - 8 oz. meat, 6 oz. bread -	Daily. Daily.		

Mem.—The men of second and third class diet reject the rice more frequently and in larger quantities than the first class or ordinary diet.

T. H. DIXON, Superintendent.

RETURN shewing the Portland Scale of Rations, the present Establishment Scale, and the proposed Scale as submitted to the Board.

	Breakfast.	Dinner.	Supper.	Remarks.
Portland Prison	-	6 oz. cooked meat, without bone, and 1 pint soup; 1 lb. potatoes, 6 oz. meat.	1 pint oatmeal gruel, 9 oz. bread -	The soup to contain, per pint, besides cooked meat as above, 1 oz. barley, 1 oz. rice (or oatmeal), and 1 oz. onions or leeks, with pepper and salt.
Convict Establishment Scale	-	3 oz. molasses per week, 6 oz. bread, 18 oz. meat, $\frac{1}{2}$ oz. rice or barley, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ dr. pepper, 16 oz. potatoes, and $\frac{1}{2}$ oz. tea daily for beverage.	$\frac{1}{2}$ oz. tea, $\frac{3}{4}$ oz. sugar, 9 oz. bread -	
Proposed New Scale	-	6 oz. bread, 16 oz. meat, $\frac{1}{2}$ oz. barley or rice, $\frac{1}{2}$ oz. salt, $\frac{1}{2}$ dr. pepper, 16 oz. potatoes, $\frac{1}{2}$ oz. tea daily for beverage.	$\frac{1}{2}$ oz. tea, 1 oz. sugar, 9 oz. bread -	When rice is used, 1 oz. of sugar in lieu of milk.

TABLE, showing the Hospital Diets proposed for Sick Convicts in Western Australia, and those established for Sick Soldiers in the Military Hospital of Her Majesty.

Proposed Full Diet for Convicts,	Established Full Diet for Soldiers,	Proposed Half Diet for Convicts	Established Half Diet for Soldiers,	Proposed Low Diet for Convicts,	Established Low Diet for Soldiers,	Proposed Spoon Diet for Convicts,	Established Spoon Diet for Soldiers,
1 lb. meat.	12 oz. meat.	8 oz. meat.	8 oz. meat.	4 oz. meat.	4 oz. meat.	8 oz. bread or 4 oz. sago.	8 oz. bread.
1 lb. bread.	16 oz. bread.	1 lb. bread.	16 oz. bread.	12 oz. bread.	12 oz. bread.	4 drs. tea.	4 drs. tea.
1 lb. potatoes.	16 oz. potatoes.	8 oz. potatoes.	8 oz. potatoes.	8 oz. potatoes.	8 oz. potatoes.	1½ oz. sugar.	1½ oz. sugar.
1½ oz. barley.	1½ oz. barley.	1½ oz. barley.	1½ oz. barley.	1½ oz. barley.	1½ oz. barley.	6 oz. milk.	6 oz. milk.
3 oz. oatmeal or 2 oz. rice.	½ oz. salt.	3 oz. oatmeal or 2 oz. rice.	½ oz. salt.	3 oz. oatmeal, or 2 oz. rice.	½ oz. salt.		
½ oz. salt.	4 drs. tea.	4 drs. salt.	4 drs. tea.	4 drs. salt,	4 drs. tea.		
¼ oz. tea.	1½ oz. sugar.	¼ oz. tea.	1½ oz. sugar.	4 drs. tea.	1½ oz. sugar.		
1½ oz. sugar.	6 oz. milk.	1½ oz. sugar.	6 oz. milk.	1½ oz. sugar.	6 oz. milk.		
6 oz. milk.		6 oz. milk.		6 oz. milk.			

This Scale to be adopted on and after the 1st of December 1851.

(Signed) E. Y. W. HENDERSON.

(Signed) CHARLES FITZGERALD, Governor.

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SIR,

Superintendent's Office, Fremantle, 9th December, 1853.

I HAVE the honour to enclose you certificates from the visiting magistrates, deputy superintendent, steward, and myself, in reference to the report of the board of survey on Monday last.

I have, &c.

(Signed)

THOMAS H. DIXON, Superintendent,

The Honourable the Comptroller-General
&c. &c. &c.

Superintendent's Office, Fremantle, 9th December, 1853.

I CERTIFY that during the present issue of rations to the men of this establishment, I have frequently attended in the kitchen at the dinner hour, examining the meat. I have had certain quantities weighed after cooking, and found the average ration reduced to about 12 ozs., including bone. I have also frequently seen the dishes returned to the kitchen, after the men's dinner; and on the day referred to by the board I was present, and must confess myself much surprised at the unprecedented quantity of meat returned, something like 40 lbs. of scraps of meat, or rather pieces of fat, gristle, and small bones; I do not of course include large bones in this estimate of the quantity.

To ascertain the cause I instituted a minute inquiry, and learn that these scraps had been returned because, on the day in question, the meat had not been sufficiently cooked. Neglect in this particular had been a frequent cause of complaint against the officer, and, consequently, he is removed. However large this quantity of returned fat, bone, and gristle may appear superficially, it is but about $\frac{3}{4}$ oz. per man; and even this trifling sacrifice is remarkable, because I have frequent applications for extra rations, and I know the men are in the habit of consuming the fat by spreading it upon their bread. I confidently repeat, that similar occurrences are unknown in the establishment, and that nothing like extravagance and waste is encouraged or practised.

(Signed)

THOMAS H. DIXON, Superintendent.

Deputy Superintendent's Office, Fremantle, 9th December, 1855.

I HEREBY certify that I have been present nearly every day during the last two months when the dinners have been issued from the kitchen to the different divisions in this establishment, and frequently when the tins containing the remains have been returned; and on no occasion do I remember having seen such a surplus of animal food as on the 5th of December, when Captain Foss, Dr. Rennie, and D.A.C.G. Fagan visited the prison.

With reference to the remains of rice on the day in question, I am of opinion that the quantity was not larger than usual, numbers of the prisoners being unable to eat it; and, in the absence of vegetables, contenting themselves with a piece of dry bread and meat alone.

On days on which potatoes are issued, I can safely affirm that the waste is not larger than might be expected, when the number of men (700,) are taken into consideration.

(Signed)

GEORGE CLIFTON, Deputy Superintendent.

Steward's Office, 9th December, 1853.

I CERTIFY that I inspect the prisoners' dinners at the kitchen daily, and, as a general rule, the weight of a pound of meat after cooking is 12 ozs. including bones. This is when the meat is very good, such as has been the case for the last two or three months; frequently it has weighed as low as 11 ozs. and 10 ozs., when the meat has been indifferent.

On the day (December 5th,) when the Board inspected the remains of the dinners, there was a larger quantity of meat than usual, which I ascribe to a large portion of it being not so well cooked; the meat was likewise very fat. In hot weather the men do not eat so much, nor do they keep it for supper as in colder weather.

With respect to the remains of rice, I think the proposed new scale of 6 ozs. will be sufficient, although it should be taken into consideration that there had been issued, during the last month, a large quantity of rice; and, in consequence, the men became indifferent to the use of it, as I have always found the case after a continuous issue for four or five days. I should recommend it to be issued alternately with other vegetables.

(Signed)

JAS. H. MARTEN, Steward.

SIR,

Court House, Fremantle, December 9, 1853.

I HAVE the honour in reply to your application of this morning to inform you that my attention has frequently, within the last twelve months, been called to the disposal of the waste or refuse of provisions at the convict establishment, Fremantle, and that I frequently examined and inquired into the matter. I have also lately examined the refuse after dinner, and although I have frequently recommended that pigs, the property of Government, should be kept for the consumption of this waste or refuse, yet I have never had reason to believe that there was so much refuse at this establishment as there is in the majority of private families, taking the number of each into consideration. At times I have not been able to see that there was any waste whatever.

I have &c.

(Signed) THOMAS BROWN,
Visiting Magistrate, Convict Establishment.

REMARKS of Assistant Commissary General Mends, submitted for the consideration of his Excellency the Governor.

THE report of the proceedings of a board of officers which assembled at Fremantle, at the convict establishment, on the 2d, 3d, and 5th days of December, 1853, in pursuance of his Excellency's instructions, for the purpose of inquiring into, and reporting upon the present scale of rationing, including extra rations now in force in the convict department, with a view to ascertain as to their suitableness, adequacy or otherwise—accompanied with a letter from the comptroller general on the same question, giving cover to the opinion of three officers connected with the establishment in regard to the present ration being only an ample one; also sundry scales of prison victualling, that in force at Portland Prison, that now in use at the convict establishment, and one slightly modified, which that officer proposes for adoption—all of which having been placed in my hands by the Governor, with a request, that I would furnish his Excellency with such remarks as I might conceive the question to require—I take leave in returning the same, to say that having given each document that careful perusal and consideration which so important a question demands, I am induced to place the following before his Excellency as the result of mature deliberation of the several representations as they occur;—

1. The mode of proceeding of the board duly appointed by his Excellency.
2. The statement of the superintendent.
3. Those of his subordinates.
4. The board's recommendation.
5. The comptroller general's letter and enclosures, with his remarks upon the whole and that officer's proposals.

1. The mode of proceeding adopted by the board appears to me most judicious, and only serves to convince me that one more competent in every way could not have been selected anywhere, each member in his own individual capacity possessing all the experience necessary to guide him in the opinion he is called upon to give in this most important investigation; and it cannot be lost sight of that the presence of the surgeon of the establishment, as a member of this board, gives considerable weight to its deliberation on a question of diet.

The board in having confined an expression of their opinion, so far as their judgment went, "of a sufficient and wholesome ration," to what is necessary for a labouring man, and in no way recognizing the question of punishment, leaves the determination of such appointment of the full diet as may be deemed necessary by his Excellency, assisted by the comptroller general; but viewing the object of the investigation, which was to arrive at "a sufficient and wholesome ration" for the convict, they, the board, have confined their opinion to what is necessary for a labouring man. This scale can therefore be the nucleus for all others, should there be a necessity for a difference being made.

2. The statement of the superintendent in reply to the board's questions in regard to the present scale now in force, giving the diet consecutively:—

This officer suggests certain small reductions in the ration of each, and, under the head of substitutes, proposes a reduction of 2 oz. rice when issued in lieu of vegetables; and with regard to special extras, suggests a small reduction, and that half an ounce of soap per man per diem should suffice for all purposes instead of, as heretofore, the ration being a quarter of an ounce and no positive scale being established for the wash-house.

3. Statement of the chief and principal warders, and a warder, who had served nearly three years:—

The evidence adduced comes from the third and fourth discipline officers in the prison, whose position and duties ought alike to render their testimony good and to be depended upon; each one agrees that the ration, as at present issued, is more than "a sufficient and wholesome ration."

4. The recommendation of the board appears to me to merit due consideration at his Excellency's hands, because I cannot altogether agree with the comptroller general in his remarks, that the board have not given the subject that consideration which its importance demands.

I am of opinion that so far from having hurried the inquiry through, they show by their succinct and very able report, which enters into every detail, that they have opened the door

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to every possible means of arriving at a correct and satisfactory conclusion, to enable them to furnish his Excellency with their view of the subject.

5. The comptroller general's letter and enclosures:—

There are certain observations in this letter and enclosures that call for reply.

To facilitate the operation, I have adopted the plan of question and answer, placing my remarks in juxta-position to that officer's statment, and which I submit for his Excellency's information; and I can only express a hope that I have succeeded in my endeavours to glean from such representation, what I conceive to be good grounds for the mode of action I would respectfully suggest for his Excellency's adoption, and accordingly submit the following scales of diet referred to in my replies to the comptroller general's letter, viz.:

Summer. Scale No. 1.—Between October 1, and April 30, (for probation prisoners and ticket-of-leave men) throughout the colony:—

Breakfast.	Dinner.	Supper.
Tea $\frac{1}{8}$ of an oz. Sugar 1 oz. Bread 8 oz. When bread is not procurable 18 oz. of flour to be issued in lieu of 20 oz. of bread. $\frac{1}{8}$ of an ounce of tea for beverage.	Bread 4 oz. Meat 12 oz. Potatoes 16 oz. Salt $\frac{1}{2}$ oz. Barley or rice $\frac{1}{2}$ oz. Pepper $\frac{1}{4}$ drachm.	Bread 8 oz. Tea $\frac{1}{8}$ oz. Sugar 1 oz.

Winter. Scale No. 1.—May 1, to September 30.

Breakfast.	Dinner.	Supper.
Tea $\frac{1}{8}$ oz. Sugar 1 oz. Bread 10 oz. When bread is not procurable 20 oz. of flour to be issued in lieu of 20 oz. of bread.	Bread 4 oz. Meat 16 oz. Potatoes 16 oz. Salt $\frac{1}{4}$ oz. Barley or rice $\frac{1}{2}$ oz. Pepper $\frac{1}{4}$ drachm.	Bread 10 oz. Tea $\frac{1}{8}$ oz. Sugar 1 oz.

and that four ounces of bread, and four ounces of meat per man each, working day, be allowed as an extra to blacksmiths and sawyers only, and no other extra allowance be authorized.

For all other prisoners I would suggest that such scale as his Excellency, with the advice of the comptroller general may conceive necessary and applicable, be adopted, and that the whole should come into operation on the 1st of January next; which can be done, provided I am in timely possession of his Excellency's decision, so that the several scales may be promulgated for general information.

Substitutes; same as those proposed by the board, excepting that preserved meats and fresh meat be issued in similar proportion.

(Signed) W. F. MENDS, A.C.G.

Commissariat, Western Australia,
Perth, December 27, 1853.

SIR,

Governor's Office, Perth, December 27, 1853.

His Excellency the Governor having recently appointed a board of officers to report upon the present scale of rations issued to the prisoners in the convict establishment at Fremantle, with the view of its revision and reduction, should such be found to be compatible with the preservation of health and the bodily condition of the class in question—and the report of that board recommending a considerable reduction in the scale of rations having been submitted to the comptroller general with the principal officers of the establishment, all of whom dissent from the recommendation of the board—the comptroller general stating “that he does not consider the board to have given the subject confided to them that full and lengthened consideration and inquiry which its great importance ought to have insured,” and that, if such a recommendation be carried out, he anticipates a discontinuance of that general contentment and good conduct on the part of the prisoners that has hitherto been so praiseworthy—the Governor attaching much importance to the opinion of the comptroller general and superintendents upon a question which it is so peculiarly their province to have studied in every phase, without at all underrating those of the officers who formed the board, but being anxious to arrive at the best conclusion possible in this matter, his Excellency requests you will call upon Captain Bruce and Staff-surgeon Galbraith to assist you in further investigating the whole question; and in order to place you in full possession of all the particulars relating thereto, the report of the board with

the observations of the comptroller general and Assistant Commissary General Mends are herewith forwarded.

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His Excellency requests that you will also, in connexion with this question, take into consideration the propriety of making a distinction between the ration given in summer and winter to the prisoners, fixing a separate scale for each of these periods.

As to the first stage in the proceeding, his Excellency would recommend that you should, if possible, visit the prisoners' dinner table at the time of the conclusion of that meal, so that you may be enabled to see what remnants of the supply given for dinner remain unconsumed.

In conclusion, his Excellency requests that you will if possible forward to him your report so that it may reach in time to permit of the revised scale coming into operation from the 1st of February 1854.

The Hon. the Colonial Secretary.

I have, &c.
(Signed) A. O. G. LEFROY.
Private Secretary.

PROCEEDINGS of a BOARD assembled by order of his Excellency the Governor at the Convict Establishment, Fremantle, the 3d day of January, 1854, to report upon the present scale of rations issued to the prisoners, with the view of its revision and reduction, should such be found compatible with the preservation of health and the bodily condition of the class in question.

Members :

The Honourable the Colonial Secretary,
Captain Bruce, Staff Officer of Pensioners,
Dr. Galbraith, Staff-surgeon.

The Board having met, proceed to read over the following documents which are hereto attached, viz.,

1. A letter dated December 27, 1853, from the private secretary to the colonial secretary.
- 2d. Proceedings of a board of officers assembled at the Convict Establishment, Fremantle, the 2d, 3d and 5th days of December, 1853.
- 3d. Letter from the comptroller general of the 21st December 1853 to the colonial secretary.
4. A comparative scale of rations issued at Portland and other prisons, with that proposed by Captain Foss's board for Fremantle.
5. A return showing the Portland scale of rations, the present establishment scale and the proposed scale as submitted to the board.
6. Table showing the hospital diets proposed for sick convicts in Western Australia, and those established for sick soldiers in the military hospital of Her Majesty.
7. Letters of superintendent, deputy superintendent, steward, and visiting magistrate.
8. Remarks of Assistant Commissary General Mends upon the proceedings of the board, the letter of the comptroller general, and those of the superintendent, deputy superintendent, steward, and visiting magistrate.

The board proceed to the cook house, and cause the following messes to be weighed, taken indiscriminately :

					lb.	oz.
Mess A for 4 men weighed with bone	-	-	-	-	3	2
" B 5	"	"	-	-	3	10
" C 5	"	"	-	-	3	13
" D 8	"	"	-	-	6	3
" E 7	"	"	-	-	4	12
" F 4	"	"	-	-	3	0
" G 5	"	"	-	-	3	10
" H 5	"	"	-	-	4	3
43					32	5

Giving an average of 12 ozs. per man of cooked meat, including bone.

					lb.	oz.
Mess B for 5 men weighed without bone	-	-	-	-	2	13
" E 7	"	"	-	-	3	10
" G 5	"	"	-	-	2	10
17					9	1

Giving an average without bone of $8\frac{2}{7}$ oz. per man.

The board tasted the broth and found it to be of fair average quality, as compared with that provided for soldiers messes.

The following is the present scale of ordinary diet in the Convict Establishment as furnished to the board by the superintendent.

Breakfast.	Dinner.	Supper.
12 oz. bread. $\frac{1}{6}$ oz. tea. $\frac{3}{4}$ oz. sugar.	6 oz. bread. 16 oz. meat (uncooked with bone) $\frac{1}{2}$ oz. rice or barley (for soup), $\frac{1}{2}$ oz. salt. $\frac{1}{2}$ drachm pepper. 16 oz. potatoes.	9 oz. bread. $\frac{1}{6}$ oz. tea. $\frac{3}{4}$ oz. sugar.

Substitutes: $\frac{1}{2}$ lb. rice with $\frac{1}{2}$ oz. sugar, or in common use 4 oz. preserved potatoes, in lieu of 1 lb. potatoes; with salt pork $\frac{1}{32}$ of a pint of vinegar is issued to each man, but not with salt beef.

Scale of rations in use at Portland prison:—

Breakfast.	Dinner.	Supper.
12 oz. bread. $\frac{1}{6}$ oz. tea, or $\frac{3}{4}$ oz. cocoa. $\frac{3}{4}$ oz. sugar or molasses. 2 oz. milk.	$5\frac{1}{2}$ oz. cooked meat (daily average) without bone. 1 pint soup containing 1 oz. barley, 1 oz. rice (or oatmeal) and 1 oz. onions, or leeks with pepper and salt, 6 oz. bread. 1 lb. of potatoes.	1 pint oatmeal gruel, containing 2 oz. meal. 9 oz. bread. $\frac{3}{4}$ oz. molasses.

The principal differences between the scale in use at Fremantle and that at Portland appears to be in the meat, the average at Portland being $5\frac{1}{2}$ oz. cooked meat per diem; at Fremantle above $8\frac{1}{2}$ oz. But at Portland on three days $\frac{3}{4}$ oz. of cocoa is substituted for $\frac{1}{6}$ oz. tea, the former being in the opinion of the board a more nutritious article of diet. At Portland also 2 oz. of milk, and 1 pint of gruel containing 2 oz. of oatmeal, are allowed daily. Further the soup at Portland contains $1\frac{1}{2}$ oz. of farinaceous food more than that at Fremantle.

On the dinner meal being concluded, the board proceeded to inspect the fragments collected from the different messes and found the following to be the remains: boiled rice sweetened with sugar, 250 lb.; bones, with scraps of meat, gristle and fat, 72 lbs.

The board ascertained on inquiry, that the rice about doubles its weight by being boiled; consequently, as 644 men were rationed on this day, the average surplus of uncooked rice per man was $3\frac{1}{16}$ oz. out of 8 ozs., the daily allowance.

The weather on this day was cool for the season of the year, there being a strong sea breeze.

The board now examined the whole of the prisoners within the establishment. They found those on ordinary and second class rations of generally robust and healthy appearance. Those in separate confinement, i.e., Division 4, showed a marked difference, being pallid and flabby. This was not the case to nearly the same extent with the men employed in indoor work, who are on full diet—being confined to those in No. 4 Division.

The board next proceeded to take the evidence of Dr. Rennie, O.M.D., the officer in medical charge of the establishment, who states as follows:—

“The re-convicted and hard-labour men (who have a smaller ration, by 4 oz. meat and 7 oz. bread,) do not appear to suffer in health from the difference in diet. The men of the 4th division have more than an average proportion of sickness, but of slight character, and of such as might result from confinement and not from low diet. The good diet which is enjoyed by the shoemakers and others under somewhat analogous circumstances, to a certain extent precludes disease, if their somewhat more active occupation is taken into consideration.

“There is a skin disease peculiar to and prevalent in the prison. I attribute this to the great quantity of bread, or, perhaps, to the rice used in the prison, which is greater than that used in ordinary life.

“I consider that the quantity of animal food should be diminished in summer, and that the winter allowance of cooked meat, without bone, for a first-class prisoner should be 10 oz.; an increase of 4 oz. on this quantity should be given to sawyers and blacksmiths. I consider that the summer allowance of cooked meat, without bone, for a first-class prisoner should be 8 oz., and 12 oz. for blacksmiths and sawyers. I think that rice should not be issued if any other substitute could be found, such as potatoes, yams, pumpkins, turnips of good quality, cabbage, &c. Pease pudding I think an excellent substitute, also pease soup occasionally. Dough puddings might also be substituted for bread or rice, say on salt-meat days. An occasional variation in the diet would be good, both on medical and on moral grounds. When 1 lb. of potatoes is issued, I think 20 oz. of bread sufficient. I ground this opinion on what soldiers are allowed.

"I perceived no difference in the appearance of the men when the meat was reduced from 18 oz. to 16 oz."

The board adjourned at 4 p.m.

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SECOND DAY.

The board having assembled at 10½ a.m., proceeded to take the evidence of Mr. Dixon, superintendent of the convict establishment, who stated as follows:—

"We could cook the vegetables mentioned by Dr. Rennie, were they supplied to us. Pease soup and pease pudding could be made if we had the pease. Dough puddings also. The men would like them occasionally. The men get dissatisfied with the rice; they do not like it, and leave it. In many messes they never touch it. When it is baked the men like it; but the bakehouse is not large enough to bake it every day. I attribute the dislike of the men to the great frequency of its use. We have had potatoes only 24 days in three months, viz., three days in October, nine days in November, and 13 in December. (This is exclusive of some supplied for the hospital and bakehouse.) On all the other days the men have had rice.

"With regard to the bread, I do not think the quantity too large. If superior flour were used, a smaller quantity would suffice; but the weight of bread would require to be the same. In my prison experience of seven years, 22 oz. is the smallest quantity I have known to be used for men under in-door work. Those employed at harder work received, to the best of my recollection, an extra 6 oz. I do not think that any material reduction in the bread could be made with safety to the discipline of the prison. A slight reduction might be made without affecting the health of the men. As a general rule the men eat all their bread, but occasionally, when the bread does not happen to be good, there is a surplus. It is at least twelve hours old when it is used. It would not keep forty-eight hours. I do not think the yeast is of good quality; it comes from Perth—too great a distance, and is shaken and exposed to the sun. I recommend that the yeast be made in the establishment; also that potatoes be used in the flour. The men like the potatoe bread best, as it is moister.

"With regard to meat, I do not think that, taking one day with another throughout the year, the men get more than 7 oz. of solid meat per diem. I doubt much whether the difference in the meat compensates for the other difference in the Portland diet scale. The only safe reduction which could be made would be a slight decrease in the allowances of meat in the summer six months. This might amount to 2 oz., making the ordinary ration 14 oz.

"We have no means of cooking fish; besides, the uncertainty of supply would interfere with the contract.

"With regard to the disposal of the offal, I should recommend that it be either sold or consumed by pigs. If it were sold, I should recommend that a contractor should take it at per 100 men, but the trouble would be considerable. We have no means of keeping pigs to any extent, in consequence of the closeness of our present quarters. The offal here ought to be worth 100% a year.

"With regard to the cooking, I think that leeks and onions should be in the scale for soup. At present the expense of the garden supplying these articles falls on me, labour excepted; and although this expense is not large, I consider the practice irregular. I have given in the last twelve months about twelve days' vegetables for the whole body of men.

"The men like salt pork, and would take it twice a week. The average quantity might be 14 oz., if good, in winter, and 12 oz. in summer; but this must depend on quality. Vinegar is indispensable for salt meat, having so few vegetables as we have.

"I would in no case recommend fruit as a general ration.

"We have four different scales of rations at present. Vide schedule appended.

"With regard to the two first classes of prisoners, I think it necessary, on the grounds of discipline, that there should be a distinction in their diet. I should make no difference in the principal articles of food, but the differences should be taken in the trifling articles. I would not allow sugar to the rice for the second class. I would issue rice more frequently to them, also occasionally, salt beef in lieu of fresh meat; no puddings, but rice. &c., instead of them.

"Beet or mangel might be tried as an experiment.

"I recommend a reduction of the present scale to the sawyers and blacksmiths: 4 ozs. bread and 4 ozs. meat extra would be sufficient. With regard to men employed in sedentary occupations I should not recommend any reduction, as this would interfere with the prison discipline. Men would be continually asking to be changed from sedentary to active employment in order to obtain change of diet, otherwise there would be no objection to a similar reduction to that at Millbank. This last observation will not apply when we have a proper prison. I would wish to observe, that the sugar in lieu of milk is not continued; but I should recommend that 1 oz. of sugar be issued with rice in lieu of ½ oz. This would get rid of the difficulty of using it. I recommend that the authorized scale of diet for men in separate confinement be continued, viz.,—10 oz. of raw meat, 20 oz. bread, 6 oz. rice, or 1 lb. potatoes. But these men would not be able to undergo hard labour at once. This would be attributable partly to confinement and partly to diet.

"At present, although there is a difference between the diets of the two first classes, there is no perceptible difference in their health. But this I attribute to the comparatively short confinement which most of the second class have undergone. These men do not perform as much work as the better fed men.

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"I do not think tea necessary as a beverage during the day where the water is good, as we have it at the new buildings; but we cannot at present get a sufficient quantity from thence, and it is necessary whilst we use the present establishment water.

"It would be worth while trying cocoa once a week, but not oftener, unless it were found to answer.

"We could not have a great difference in the different day's rations, but more difference than at present exists could be easily managed.

"Vinegar is more wanted with salt beef than with salt pork; at present we get it only with pork."

The board again proceeded to inspect the messes at the hour of dinner. The meat, which was fresh beef, was of excellent quality, and the broth was fully as good as on the previous day.

The board caused eight messes taken indiscriminately to be weighed, and obtained the following results:—

Mess				With bone.			Without bone.	
				lb.	oz.		lb.	oz.
Mess A	-	6 men	-	4	14	-	3	4
" B	-	4 "	-	2	15	-	2	3
" C	-	5 "	-	3	12	-	3	0
" D	-	5 "	-	3	13	-	2	12
" E	-	4 "	-	2	10	-	2	0
" F	-	6 "	-	3	14	-	3	2
" G	-	6 "	-	4	2	-	3	6
" H	-	6 "	-	4	1	-	3	1
				42			22	12
Average per man				0	11 $\frac{9}{16}$	-	0	8 $\frac{3}{4}$

This is a higher average without bone than on the previous day, by a little more than $\frac{1}{5}$ of an ounce.

The men having finished their dinner, the board proceeded to inspect the fragments, and causing them to be weighed, found, of rice 168 lbs., scraps of meat and fat 11 lbs., of which the pure fat constituted fully three fourths. It is necessary to remark, that the rice this day was less boiled, and contained much less water than on the previous day. The weather, up to this period of the day, was exceedingly hot and sultry.

The board then proceeded to examine Deputy Assistant Commissary General Fagan, who states as follows:—

"I decline to answer any questions bearing upon the opinions of the previous board, of which I was a member.

"The contractor could not supply the whole amount of potatoes contracted for, some having been rejected by the officer of the commissariat. We can get no contractor to let us have, say from 600 to 700 lbs. a day of vegetables, even if we were to fix the days. Potatoes can only be obtained from Bunbury and the Vasse. Chinese coco would be an excellent substitute for potatoes; they would carry well and are very cheap in China. Preserved potatoes might be sent from England; 4 ozs. to the pound would make this quite as cheap or cheaper than the vegetables obtained here, if imported in convict ships.

"It would be necessary to give the contractor at least thirty-six hours' notice to vary his contract of meat; consequently, it would be impossible to vary the amount of meat according to the weather.

"Pease could be kept from the convict vessels and issued with the salt meat. There is no reason assignable for not issuing vinegar with salt beef and limiting it to salt pork."

"I see no objection to issue cocoa.

"I think it would much simplify accounts if the rations were changed from day to day, and not a portion of one day's ration interchanged with that of another. If a reduction is to be made in certain classes, it would be better to make a fractional reduction of the whole ration rather than to reduce or interchange entire articles. The alterations of these rations would involve a great increase of accounts, clerical labour, and consequent expense.

"The objection to selling the offal is, that it would afford a great additional opportunity to the prisoners, &c., in the present prison to get rid of articles of various kinds, the Government property. But there is no commissariat reason why the offal should not be burned on the Government ground or in the prison garden, but it would not be worth carting to the fields.

"A supply of onions could be obtained. I think oatmeal should be used, that which comes out in convict ships. This is sold at present; it fetches a fair price. The lime juice is only desirable for special purposes."

The board further proceeded to examine the quality of the bread issued to the prisoners, which they found to be but indifferent, the loaf being heavy, yellow, and of a sourish odour. These faults may be attributable to the yeast, as represented by the superintendent.

The board, having taken into their most careful consideration the information, documentary, oral, and other, which has been laid before them, and which they have been otherwise enabled to obtain, have come to the following decisions :—

1st. That in considering the expediency of any reduction in the present rations of the prisoners, due weight should be attached to the opinions of the officers entrusted with the discipline of the establishment, in which the means of enforcing order are at present very inefficient from the want of proper prison accommodation.

2nd. The board consider that arrangements of diet are a powerful means in carrying out the system of moral force which has hitherto been so successful in Western Australia.

3rd. The board further consider that the scales of diet in use in the English prisons, of which that of Portland may be taken as an example, being the result of carefully conducted experiments, should be followed, as far as the circumstances of the colony and differences of the climate admit.

4th. The board consider the principle contained in the valuable suggestion of Assistant Commissary General Mends, making a difference between the summer and winter scales, worthy of adoption.

5th. The board propose the following scales :—

WINTER SCALE.

1st Class.

Breakfast.	Dinner.	Supper.
$\frac{1}{8}$ oz. tea. $\frac{3}{4}$ oz. sugar. 12 oz. bread. (Once a week, $\frac{3}{4}$ oz. cocoa in lieu of tea.)	16 oz. meat. 1 lb. potatoes. 6 oz. bread. $\frac{1}{2}$ oz. salt. $\frac{1}{4}$ dr. pepper. 1 oz. barley, or rice, or oatmeal in the soup.	$\frac{1}{8}$ oz. tea. $\frac{3}{4}$ oz. sugar. 8 oz. bread.

2nd Class.

Breakfast.	Dinner.	Supper.
The same as for 1st Class.	12 oz. meat. 1 lb. potatoes. $\frac{1}{2}$ oz. salt. $\frac{1}{4}$ dr. pepper. 1 oz. rice, barley, or oatmeal, in soup.	The same as for 1st Class.

3rd Class.

Breakfast.	Dinner.	Supper.
$\frac{1}{8}$ oz. tea. $\frac{3}{4}$ oz. sugar. 10 oz. bread.	10 oz. meat. 1 lb. potatoes. $\frac{1}{2}$ oz. salt. $\frac{1}{4}$ dr. pepper. 1 oz. rice, barley, or oatmeal, in soup.	$\frac{1}{8}$ oz. tea. $\frac{3}{4}$ oz. sugar. 10 oz. bread.

4th Class.

One pound of Bread daily.

Extra, for hard work, *i. e.* for Blacksmiths and Sawyers.

4 oz. meat, 4 oz. bread daily.

SUMMER SCALE.

To be the same as in winter, with the exception of the meat, which is to be as follows :—

1st Class. 14 oz. in lieu of 16 oz.

2nd Class. 10 oz. in lieu of 12 oz.

3rd Class. 8 oz. in lieu of 10 oz.

The summer scale to be considered as commencing 1st November, and the winter 1st May.

2 lbs. pumpkins, or	} In lieu of 1 lb. potatoes.
1½ lb. cabbage, or	
1½ lb. turnips, or	
4 oz. preserved potatoes, or	
6 oz. pease, for soup or pudding, on salt beef or pork days, or	
6 oz. flour, for dough puddings on like occasions, or	
5 oz rice with oz sugar.	

Note. The board do not consider this quantity (5 oz.) of rice actually equivalent to 1 lb. potatoes, but they feel themselves constrained to reduce the allowance of this article in consequence of the great waste which they witnessed, and they recommend the issue of rice in lieu of potatoes to be made as seldom as possible: further that variations in this portion of the diet be made as often as the circumstances of the establishment will admit.

1½ oz. salt pork, or	} In lieu of 1 lb. fresh meat.
1 lb. salt beef, or	
1 lb. preserved meat,	

Vinegar. $\frac{1}{3}$ of a pint should be issued with all salt meat, whether beef or pork.

Tea. To be as at present continued for beverage, so long as the prisoners are obliged to use the present indifferent water.

6th. The board recommend that salt beef and preserved meat should each be issued to the hard labour and separate confinement parties once a week, and the issue of salt pork be confined to the first class prisoners.

7th. The board are of opinion that the daily quantity of bread might be somewhat reduced if a lighter and more spongy description could be made: and they recommend that the suggestion of the superintendent, with regard to making the yeast in the establishment, should be adopted.

Lastly. The board consider the question of an advantageous disposal of the offal merits attention, but, as it involves departmental questions in which the prison authorities and commissariat are more immediately concerned, the Board are not prepared to offer a definitive suggestion on the subject; they are however of opinion that the present waste is to be condemned both on moral and economical grounds.

(Signed)

W. A. SANFORD.

I. BRUCE, Captain, Staff Officer Pensioners.

GEORGE T. GALBRAITH, Staff Surgeon.

SIR,

Perth, January 25, 1854.

I HAVE the honour to acknowledge the receipt of your letter (A 377,) giving cover to the whole proceedings connected with the recent alterations in the scale of rations in the convict department. And if I may be permitted to do so, after his Excellency has expressed his desire that the scales of diet for use in the convict service shall be in accordance with those proposed by the last board of the 3rd instant, I would respectfully beg to offer for the consideration of his Excellency the Governor, a few remarks upon certain portions of their report which call for some reply, in explanation of what might otherwise appear, up to the date of their proposal, to have been lost sight of by those whose duty it is to take a lively interest in the question of rationing the prisoners, and with whom it has never failed to be a source of the greatest anxiety; because, with all the desire to avoid fixing too high, or liberal a scale, the necessity for a generous one has been forced upon us by circumstances not to be controlled, in consequence of the present inefficient means at the disposal of the convict officers for maintaining that system and rule, so vitally important in a prison—to secure which, so long as the present temporary depôt is occupied, and until the new establishment is habitable, a somewhat liberal ration is necessarily adopted. Doubtless it is a powerful corrective in the hands of the comptroller general, where the moral force system has been found to succeed so well, and to use whose words, “it becomes questionable economy under the present circumstances,” (alluding to the absence of other means than those named,) to make any important changes in the prisoners’ rations.

So soon, however, as the means of coercion are available, measures should be taken to reduce the scale, and which I am aware it is his Excellency’s intention to do.

Whilst I am prepared to a certain extent to coincide with the comptroller general as to the necessity for a liberal ration, I regret that our estimates in this regard should differ; but if I may proceed to reply to the board’s report, I hope to show that the Western Australian scale for the convict ration is quite as liberal, and more so, than that of Portland, upon which such stress is laid, more particularly if the suggestions of the board, though not at all novel ones, are carried out. They say, “the principal difference between the scale in use at Fremantle and that at Portland, appears to be in the meat, the average at Portland being 5½ ounces cooked meat per diem, at Fremantle about 8½ ounces.”

Here it is evident that 3 ounces of solid meat are issued in excess of the Portland ration; my proposal of 12 ounces of meat and bone yielding 6 ounces solid meat for summer, and 16 ounces meat and bone yielding 8 ounces or more of solid meat for winter, it will be apparent, is in excess of the Portland scale. Again, but at "Portland, on three days $\frac{3}{4}$ ounce of cocoa is substituted for $\frac{1}{2}$ ounce of tea, the former being, in the opinion of the board a more nutritious article of diet."

Cocoa has been proposed repeatedly, and as often rejected, because milk could not be issued with it, though when served out to Her Majesty's navy and army afloat, no milk is given. Cocoa can if necessary, be issued daily for breakfast.

Once more, "at Portland also, 2 ounces of milk and 1 pint of gruel, containing 2 ounces of oatmeal are allowed daily;" further, the "soup at Portland contains $1\frac{1}{2}$ ounces of farinaceous food more than that at Fremantle."

Milk cannot be procured in sufficient quantities to meet the demand in my proposed scale; I have included $\frac{1}{2}$ an ounce of sugar, which will answer for cocoa in lieu of milk.

Oatmeal has, in like manner been objected to; this article can always be issued—say 3 ounces on soup days, being 2 ounces for gruel and one ounce for soup, in lieu of rice; and further, as so much aversion appears to hold with regard to rice, I propose that a pint of peas be issued on salt meat days, in lieu of other vegetables, where it is practicable, and that rice only be issued as vegetables when others cannot be procured, and on Sundays $\frac{1}{4}$ lb. of flour each man for pudding, with raisins or currants when in store.

Such a scale for the first class prisoners would, I conceive, give a ration fully as liberal as the Portland scale, though my proposal of 20 ounces of bread in summer and 24 ounces in winter were adopted; looking at the increased quantity of meat both in summer and winter, according to the Western Australian scale, as compared with that of Portland.

The board mention a beverage for the whole year, this cannot, I think be necessary beyond the summer months. No soap is spoken of; $\frac{1}{16}$ ounce per man is proposed, not to include ticket of leave men, who are supposed to pay for their own soap.

I have, &c.

(Signed) W. F. MENDES,
Assistant Commissary General.

The Chairman of Finance Committee,
&c. &c. &c.

No. 13.

No. 13.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 37.)

Government House, Perth, March 21, 1854.

(Received August 8, 1854.)

MY LORD DUKE, (Answered No. 41, November 20, 1854, page 217.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch No. 127* of November 8, 1853, approving of certain increases of salaries to the clerks in the Comptroller General's department.

2. In reference to the increase of the salary of the Registrar from £150 to £200 per annum, I have the honour to inform your Grace that a lengthened report was addressed to me last March by the Comptroller General and Assistant Commissary General Mends in charge, on the subject of the duties of this office, in which it was stated by those officers that in consequence of the increasing duties and responsibilities of that official, it had become impossible for him to perform the duties of Registrar and Cashier as hitherto attempted on the score of economy in connexion with the convict department, as the cash transactions now amount to a very large sum, increasing greatly the work and responsibility of the cashier. These officers further submitted for my consideration that the cash duties should be performed by an officer from the Commissariat lent for the purpose, to which department, they were of opinion, all cash transactions connected with the convict department should more properly belong.

3. This recommendation had my full approval, as involving no increase of convict expenditure, the Assistant Commissary General being just then in a position to lend a clerk for this duty up to July last, when his own increasing wants obliged him to withhold this assistance, upon which the Comptroller General made an application for an officer to take the duties of cashier. This application was submitted to the Finance Board, whose Minute, No. II. of July 19, 1853, was forwarded in the quarterly return in my despatch No. 104

* Page 263 of Papers on Convict Discipline, presented to Parliament by Her Majesty's command May 1854.

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of 19th October last, as also ought to have been a despatch from me bringing the whole subject under your Grace's consideration, but which in the multiplicity of my engagements I inadvertently omitted to do.

4. I have now the honour to submit for your Grace's approval the appointment of a cashier for the convict department, at a salary of £180 a year, pending your Grace's decision on my despatch, No. 123 of 23d December last, having reference to the Commissariat being instructed to undertake that duty, and that the registrar receive a salary of only £180 a year, looking at his diminished responsibility from being relieved from all cash transactions formerly connected with his department.

The Duke of Newcastle, (Signed) I have, &c.,
&c. &c. &c. CHARLES FITZGERALD.

Encl. in No. 13.

Enclosure in No. 13.

Comptroller General's Office, Fremantle,
March 22, 1854.

SIR,

IN obedience to his Excellency's instructions conveyed in your letter dated 16th March 1853, No. 177, directing us to inquire into the nature and extent of the duties required of the registrar of the convict department, and how far any alteration in the present system might be advisable by the adoption of a different arrangement of these duties, and what improvements we might deem the present system capable of with reference to the registration, preparation of returns, pardons, and the ticket-of-leave accounts generally, including earnings on public works, passage money, private cash and house earnings, keeping in view the necessity of relieving the convict department as far as possible of any monetary transactions, we have the honour to submit the following report.

Having carefully inquired into the system as hitherto pursued in regard to the registration of convict and ticket-of-leave men, and the keeping of the multifarious cash transactions which unavoidably devolve on the Comptroller General's department, we have satisfied ourselves that the strength of the Registrar's office is entirely unequal to the combined duties of registration and cash, and that it is impossible under the present system, with the daily and hourly increasing work of this most important branch of the department, that the registration of the men can be kept with that precision and accuracy which is absolutely necessary and indispensable, or that the large amount of cash business and accounts can be made and rendered to the satisfaction of the Government, or to the security of the Comptroller General, who is unavoidably responsible for a very large amount of money.

The whole of the duties required of this branch have hitherto been performed by the Registrar and one permanent clerk, assisted occasionally by another free clerk, and since February 1852 the Registrar has had the assistance of a prisoner clerk, and from February to July 1852 an extra prisoner-clerk has been employed.

The immense amount of work required to keep up the registration of the men and maintenance of a proper thread of reference, and the numerous running accounts, there being now 1,200 open, with ticket-of-leave men, and which are daily on the increase, have prevented the books being kept up with that regularity and system so necessary, being the groundwork of the whole of the returns of the convict department; in like manner as regards the cash transactions, although there is no reason to believe they have been incorrectly kept, still they are not in that lucid and satisfactory state which in these transactions is indispensable.

The great amount of detail work involved in the registration of the convicts will be apparent from the accompanying answers to queries put to the registrar on the nature and extent of his duties, and the following list of books which, after mature inquiry, we consider ought to be kept for the proper performance of the duties of this office, entirely in reference to registration, viz:—

No. 1. General Register, compiled from the lists received from England, giving every information respecting the convict from his arrival in the colony till the issue of his conditional pardon.

No. 2. Personal description, according to the form now in use, but omitting all information given in No. 1.

No. 3. Original parchment lists received with each ship to be entered in skeleton books.

No. 4. Engagement book, as at present giving full particulars of all men engaged into private service, rate of wages, district, &c.

No. 5. Distribution of ticket-of-leave men on public works, to be made up weekly from the weekly distribution returns.

No. 6. Nominal District Distribution; being a separate book for each district, showing register number and names of men either in depot or private service, if transferred to another district, to give date of such transfer.

No. 7. Numerical District Distribution, to enable a return to be made at any moment of the number of men in any given district, whether in or out of depot.

No. 8. Register of magisterial sentences on ticket-of-leave holders, as at present giving every information.

No. 9. Registry of marriages.

No. 10. Registry of deaths.

No. 11. Conditional pardons; showing dates when men are entitled thereto, arranged in months from January to December, where none are due "nil" to be entered, with date of Comptroller General's application to his Excellency for the same.

No. 12. Register of arrival of convict ships; showing the number of prisoners, number of ticket-of-leave men, date of arrival and landing, deaths and casualties.

No. 13. Alphabetical register and book of general register, as at present.

No. 14. Official returns of every description, no document being permitted to leave the office without a copy being taken; number of entry in the book to be affixed at the head of return.

None of these duties involve correspondence, the whole of which is carried on in the Comptroller General's office.

In regard to the cash transactions which have devolved upon the Comptroller General's department, we beg to submit the following observations on the manner in which these duties have hitherto been performed.

1st. The private cash and earnings are received by each convict ship from England being a notification of the amount paid into the commissariat chest in England; these sums, agreeably to the Secretary of State's instructions, are handed to the Comptroller General for detail distribution to the men when they receive their tickets-of-leave.

A debtor and creditor account is opened with each man on his landing, wherein his private cash and earnings are entered; if a prisoner, his account remains dormant with the registrar until he receives his ticket-of-leave, when his earnings in prison at Fremantle are transferred to this account.

Agreeably to the Secretary of State's instructions, it has never been the practice here to pay these sums to the men immediately on landing or on leaving the establishment. Any small sum wanted for necessary purposes, or for purchasing tools, &c., is given them, and whatever amount they please is transferred to their passage account, the balance is sent to the resident magistrate of the district to which they proceed, and when they report themselves to him on entering private service they receive their money at his discretion; if they go to a depot the money is placed to their credit, and they are allowed by the superintendent to expend it in the purchase of reasonable necessities, and as much care as possible is exercised in preventing its being expended in drink and debauchery, to which men just emerging from long imprisonment are but too liable.

The men sign duplicate lists in England certifying to the correctness of their balances, and they sign duplicate lists here on receiving the money.

In addition to the amounts received from the Commissariat being sums advised from England, there are small amounts handed to the Comptroller General by the surgeon superintendent of convict ships, being private cash belonging to prisoners paid to the surgeon-superintendent, which is distributed in the same way, receipt being taken from the men.

2ndly. Earnings by prisoners on the public works in this colony.—These accounts are all kept by the superintendent of the convict establishment, the men being allowed a small rate of pay daily, as fixed by the Secretary of State, but liable to be reduced or altogether taken away for misconduct or idleness. When a prisoner becomes entitled to a ticket-of-leave a memorandum of the amount due to him is sent to the Registrar's office; this money is paid to him in the same way as his private cash and earnings, and has hitherto been advanced by the Comptroller General, who forwards at the end of each quarter duplicate returns, signed by the men when the amount is refunded to him by the commissariat.

The balance in hand in private cash and earnings enables the Comptroller General to make these payments.

The whole of these accounts being necessarily kept in the superintendent's office, the only documents necessary in the Registrar's office are the duplicate sheets signed by the men which are sent quarterly to the Commissariat for payment; the men should also sign, in a book kept for the purpose as a record, it is suggested that the accounts of these earnings be occasionally audited.

3rdly. Passage money is collected in the rural districts by the commissariat storekeeper, and monthly returns transmitted to the Comptroller General of sums received by them, showing the names of the men and their employers. This return is forwarded to the commissariat office, and receipts for the amount as being paid into the chest signed by the Assistant Commissary General are forwarded to the Comptroller General's office. At Fremantle the passage money is paid to the Registrar, but the amounts are very small, as ticket-of-leave men are not allowed to hire in Fremantle until all the passage money is paid. At Perth it is at present collected by the police magistrate, who pays it monthly to the commissariat. At Albany it is paid into the commissariat chest there; but in the districts of Champion Bay and the Vasse it is collected by the resident magistrates, there being no commissariat in those districts.

The collection of money on account of passage up to the 31st of May was made entirely by the Comptroller General, the money being lodged to his convict account at the Western Australian Bank, and the amount paid into the commissariat chest half-yearly as soon as the Registrar closed his accounts, which are forwarded with the Comptroller General's half-yearly report; this applies to passage money paid in cash, not what is derivable by deduction from men on the public works, which appears on the return of earnings weekly.

The amount paid by or for each man is entered to his credit immediately on receipt of the proper documents, and a receipt for the money is forwarded to him, and if paid by his employer another is sent to him.

4thly. Earnings on public works:—Ticket-of-leave men employed on public works receive pay at rates fixed from time to time under authority of the Governor, and under certain regulations authorized by him; deductions are made from each man on account of passage money at the rate of 5*l.* per annum.

Weekly returns are furnished from all the stations showing the amount of each day's work, the earnings and deductions on account of passage, duplicates of which are retained in the office.

The following books appear to us to be necessary to be kept for the preservation of a clear and correct account of all these monetary transactions, involving as they do a large amount of money.

No. 1. Debtor and creditor account with each man, to be opened on landing, showing amount of private cash and earnings, Fremantle earnings if any, and expenditure of the whole, whether transferred to passage or in what manner disposed of.

No. 2. Register of payments of earnings of prisoners on the public works in Western Australia, being a copy of returns forwarded quarterly to the commissariat.

No. 3. Passage account book; being a debtor and creditor account with each ticket-of-leave man in the colony, showing on one side the amount due with the deduction for prompt payment, and on the other the receipt if employed on the public works, the deduction for passage money to be entered monthly from the weekly pay sheets.

No. 4. Earnings on public works and deductions for passage money; the totals from each weekly return for every depot to be entered as received, showing at a glance the total earnings and stoppages for any week, month, or year.

No. 5. An account of private cash and earnings received by convict ships, each ship to be kept separate, the payments on account of each to be entered weekly, and a balance struck at close of each month, showing balance in hand on account of each vessel.

No. 6. Register of sale of deceased prisoners and ticket-of-leave men's effects, proceeds of sale, after deducting expenses, being paid into the commissariat chest from time to time.

In addition to the above a rough daily cash book will have to be kept, showing each day's cash transactions.

The commissariat storekeepers will have to be furnished with a copy of the passage account of each man going to their district, and the return of receipts granted by them will have to be compared with the account as a check; the preparation of receipts and all cash returns are also included in this branch of duty, and a similar book of returns must be kept to that in the Registering Clerk's office.

The collection of the money by the commissariat storekeepers having materially facilitated the object in view, we beg to recommend that with a view to prevent delay, and enable each man to know the amount he has paid or has to pay, without referring each case to the Comptroller General, that each storekeeper should be furnished from the Comptroller General's office with a statement of each man's passage account, on going to his depot and district, which he should enter in a book kept for the purpose, thus opening an account with each man in his district for any sums paid to them in cash; the storekeeper will grant receipts to the men or their employers, which will be considered sufficient.

The final receipts for passage money in full will be granted by the Comptroller General.

The storekeepers will not grant receipts for stoppages on account of passage money on the public works, until a man leaves the works or districts.

The Comptroller General will notify the storekeepers in the event of a ticket-of-leave man being transferred from his district to any other, and the storekeeper will furnish the storekeeper of the district to which the man is transferred, with a memorandum of the balance of money still due by him on account of passage.

The monthly returns of cash received on account of passage money will still continue to be furnished to the Comptroller General's office, and on the other side of this document a memorandum is to be made of receipts granted during the month, giving register number, names, and accounts.

The extent and importance of the cash transactions connected with the convict department, which have devolved on the Comptroller General, and which we have satisfied ourselves cannot by any possibility be removed from his office, may be gathered from the fact that although the present ticket-of-leave system and payments on account of passage money, only commenced in July 1851, but little more than eighteen months ago, the

sums paid into the commissariat chest on account of passage money, up to the 28th February, 1853, amounted to 4,195*l.* 2*s.* 1½*d.*, being 2,226*l.* 11*s.* 5*d.* paid in cash by the Comptroller General, 108*l.* 17*s.* 4¾*d.* received by commissariat storekeepers, and 1,859*l.* 13*s.* 3¾*d.* by stoppages on public works.

The amount of private cash and earnings received from England amounted, from June 1850 to December 1852, to 3,200*l.*

The earnings of prisoners on the works at Fremantle for the same period, to 805*l.*, making a total of 4,005*l.*

The peculiar system adopted in this colony renders it necessary to keep two open accounts with each ticket-of-leave man, one for his private cash and earnings, and one for his passage account, and even at present this involves nearly 2,400 open accounts, independent of much other work connected with these duties.

It is obvious that so large a sum of money cannot be disbursed in very small amounts, and collected in still smaller sums from a great number of men scattered far and wide over the colony, and passing through so many different accounts without involving much labour and varied and intricate accounts, demanding the undivided attention of a person thoroughly acquainted with accounts generally and the details of the convict and commissariat transactions.

After much consideration we are clearly of opinion that the duties of registration and cash should be separate and distinct, and we respectfully submit for the consideration of his Excellency that the registration should for the present be placed in charge of one person, as registering clerk, and the cash in charge of another as cashier. Under present circumstances this arrangement appears to be the best for the public service, although when this branch of the department increases in extent and importance it will be advisable to place the whole under charge of one officer.

We feel quite convinced that his Excellency will be satisfied after reading this report, that there is ample employment for a registering clerk, assisted by two clerks in keeping up the registration in the mode we propose, and which we believe to be as simple as the subject will admit.

As regards the cash transactions, and viewing their immediate connection with the commissariat branch of the service, we are of opinion that the only mode of arriving at a satisfactory conclusion on this point, both for the security of the public and of the Comptroller General, will be to place them in charge of some gentleman of the commissariat department, whose qualifications may fit him for this important duty, and who being thus lent to the convict service would be in a far better position than any other person to perform the duties in which the interest of the two departments are so intimately blended.

We consider the arrangements we propose are fully borne out by the instructions of their Lordships of the Treasury, regarding all pecuniary transactions connected with the convict department.

We consider that the cashier will require the assistance of one clerk, whose salary is already provided for in the estimates for the year commencing 1st April as a third clerk for the Comptroller General's office, and which he hopes to be in a position not to require in his own office.

The duties of this branch of the convict service have increased so rapidly since its first formation that it has been impossible they could be satisfactorily performed by the limited staff of the Comptroller General; and we consider that the extra expense which will be involved by the arrangement we have the honour to submit is in no way commensurate with the amount or the importance of the duties required.

Considering the importance and extent of the cash duties, we should recommend that the accounts be occasionally inspected and audited, say half yearly, by a Commissariat officer, nominated by his Excellency for the purpose.

In reporting to his Excellency that the books in the registrar's office are not in the satisfactory state that we could wish, we do not desire to convey any censure on the registrar; on the contrary, viewing the entire novelty of the duties and the difficulties experienced by the Comptroller General in obtaining proper assistance and which have been so often brought under his Excellency's observation, the multifarious and complicated accounts, and the rapidly increasing duties of the department, we think that every exertion has been made, and that the books and accounts are in a more complete state than under the circumstances could have been anticipated.

We have, &c., &c.,

(Signed) E. Y. W. HENDERSON, Captain R.E.,
Comptroller General.

(Signed) W. T. MENDS, A.C.G.

WESTERN
AUSTRALIA.

No. 14.

No. 14.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 49.)

Government House, Perth, April 29, 1854.

(Received August , 1854).

(Answered No. 29, September 21, 1854, page 214).

MY LORD DUKE,

I HAVE the honour of transmitting for your Grace's information the correspondence herewith, relative to two civilian convicts who have been forwarded to this colony by the Bombay Government, and arrived here in the "General Godwin," on the 30th of March last.

As my instructions with regard to the reception of convicts from British settlements, only refer to Europeans sentenced by courts martial to transportation, I have to request, for the future guidance of this Government, that I may be informed if it is the intention of Her Majesty's Government that convicts of the above description are to be sent to this colony, and maintained from Imperial funds; and I would further solicit from your Grace, such other instructions in this matter as you may deem expedient.

I have, &c.

(Signed) CHARLES FITZGERALD

The Duke of Newcastle,
&c. &c.

Encl. 1 in No. 14.

Enclosure 1 in No. 14.

Comptroller General's Office,

Fremantle, March 30, 1854.

SIR,

I HAVE the honour to forward for his Excellency's information, copy of a letter from the deputy superintendent of the convict establishment relative to F. Louson and John Duffey, received this morning from the barque "General Godwin."

I have, &c.

To the Colonial Secretary,
&c. &c.

(Signed) E. Y. W. HENDERSON.

Encl. 2 in No. 14.

Enclosure 2 in No. 14.

SIR,

Superintendent's Office, Fremantle, March 30, 1854.

IN reference to the two civilian convicts received ex "General Godwin" this morning, I have the honour to report that F. Louson, Reg. No. 2624, one of the said convicts, makes a statement to the effect, that he was tried at the Supreme Court, Bombay, for forgery; that he was eleven years an apothecary in the Honourable Company's service, leaving it in 1845 to practise on his own account; and that his father was a serjeant major in the Company's engineers.

John Duffey, Reg. No. 2625, the other civilian prisoner thus received, was tried at the Civil Court, Bombay, (so he says) for an attempt to murder a native woman; that he was eleven years in the Ordnance department as blacksmith, and that he left the service in 1844.

He had further been a special constable at the County jail, Bombay, at the time of the offence for which he was transported; his father was a private in the 69th regiment.

I have, &c.

The Hon. the Comptroller General,
&c. &c. &c.

(Signed) GEORGE CLIFTON.

No. 15.

No. 15.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 50.)

Government House, Perth, May 3, 1854.

(Received August 8, 1854.)

MY LORD DUKE,

I HAVE the honour of reporting to your Grace the arrival on the 5th of April of the convict ship "Sea Park," with 304 male convicts, and a detachment of pensioners, who acted as guard during the passage.

I have much pleasure in informing your Grace that the comptroller general has reported to me the clean and healthy appearance of the prisoners, and that

he found the whole of the arrangements on board highly satisfactory, equalling, if not surpassing, those of the best managed of the convict ships previously sent to this colony.

The master and surgeon superintendent appear to have paid every attention to their respective duties.

I have also to report the arrival by the "Sea Park" of Mr. Lefroy, appointed by your Grace's Despatch, No. 114, of 25th September last, to the office of deputy overseer of convicts in Western Australia.

I have, &c.

(Signed) CHARLES FITZGERALD.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 15.

Encl. in No. 15.

Comptroller General's Office, Fremantle,
April 10, 1854.

SIR,

HAVING this day made the usual inspection of the convict ship "Sea Park," which arrived on the 5th instant with 304 male convicts, I have much satisfaction in reporting, for the information of his Excellency the Governor, the clean and healthy appearance of the prisoners, who appear remarkably orderly and well managed.

The prison was most clean, and the whole arrangements highly satisfactory.

The surgeon superintendent appears to have fulfilled his duties with great tact and success, and I have no hesitation in saying that the order, cleanliness, and obedience visible on board this convict ship equal, if they do not surpass, those of the best managed of any previous convict ship sent to this colony.

The master appears to have paid due attention to his duties, and I received no complaints from any person on board.

I have, &c.

(Signed) E. Y. W. HENDERSON.

The Hon. the Colonial Secretary,
&c. &c. &c.

RETURN of Convicts who have died on board the "Sea Park" convict ship during the voyage to Western Australia.

April 1, 1854.

Name of Convict.	Age.	Date of Death.	Nature of Disease.	Date of Escape.	At what Place.
Nil.	—	—	—	—	—

(Signed) J. CALDWELL, Surgeon Superintendent.

No. 16.

No. 16.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the
Duke of NEWCASTLE.

(No. 53.)

Government House, Perth, May 22, 1854.

(Received August 8, 1854.)

(Answered No. 34, October 27, 1854, page 215.)

MY LORD DUKE,

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 16,* of 21st January last, approving of the measures which had been adopted by me in the disposal and for the custody of the large number of prisoners so un-

* Page 269 of Papers on Convict Discipline, presented to Parliament by command of Her Majesty, May 1854.

expectedly introduced into the colony by the convict ships "Robert Small" and "Phœbe Dunbar," and further calling upon me to report how many more convicts and ticket-of-leave men it will be desirable to send out in the present year, and at what periods.

2. The enclosed communication from the comptroller general will shew to your Grace that there are now 677 prisoners of the Crown in custody, but that by January next there will not in all probability remain of that number within prison walls more than 177; 500 being entitled to tickets of leave up to the close of the year.

3. I would therefore propose to your Grace to send to this colony in the present year not less than 800 more prisoners. The ships I would recommend should sail at intervals, if possible, of six weeks; the first early in August, the second in the middle of September, and the third in November; but if under any exigency it should convenience Her Majesty's Government to dispatch another ship early in January, 300 prisoners may be sent in that month, and the best arrangements that circumstances admit of will be made for their reception.

4. Adverting to that passage of your Grace's Despatch having reference to the number of ticket-of-leave men it will be desirable to send to this colony within the present year, I will not conceal from your Grace my strong preference for prisoners being sent and released with tickets of leave from the prisons of this colony, as however short the time of their stay there, if only one month or two, it has its advantages, but as the policy decided upon hitherto by Her Majesty's Government has rendered necessary the sending of men entitled to tickets of leave on landing here, I concur with the comptroller general in thinking that from 300 to 400 more ticket-of-leave men may be sent to this colony before the close of the year, with considerable probability that one half the number will be absorbed in private service within three months from their arrival.

5. Your Grace will gather from the observations of the comptroller general that the early arrivals of prisoners are essential to our progress with the new prison; it is also to be hoped that the requisite fittings are by this time on their way.

As public meetings are being called to consider the question of receiving female convicts, I shall do myself the honour to address your Grace on that subject by the next opportunity.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) CHARLES FITZGERALD.

Encl. in No. 16.

Enclosure in No. 16.

Comptroller General's Office,
Fremantle, 19th May, 1854.

SIR,

IN obedience to his Excellency's instructions that I should report for his information what number of convicts and ticket of leave holders should be sent to this colony, I have the honour to state that, having duly considered the prison accommodation, the probable demand for labour in the colony, and the works in progress in the rural districts by ticket of leave labour, I beg to submit, that 700 convicts to be employed on the public works should be sent as soon after the receipt of his Excellency's despatch as circumstances will allow, and that 300 ticket of leave holders should be sent towards the end of the year.

This number, with those already received, per "Sea Park," and expected per "Ramilies," will probably be about sufficient to enable the Government to carry on the imperial works in progress, to supply the labour market, and continue the works of local utility and convenience in the rural districts.

I have the honour to inclose for his Excellency's information a return somewhat hastily prepared, owing to the immediate departure of the mail, by which it will appear that only 177 prisoners will remain on the 1st of January, 1855, on the hands of Government; 600 of the prisoners for whom I have applied will therefore only just complete the strength of the convict prison at Fremantle, and, unless this is kept up, it will be impossible to get the new prison finished within the necessary period.

The number of prisoners already in the colony to be discharged on ticket of leave may seem likely to supply the labour market, and give a sufficient surplus to carry on the works in the rural districts; but, judging from past experience, and the almost total stoppage of the works near the important towns of Perth and Guildford, which will occur when the drafts of men are sent to Albany and Port Gregory, although scarce a month has elapsed since 300 men arrived in the colony, I feel quite sure the estimate I have formed is not a large one.

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AUSTRALIA.

So soon as his Excellency receives a notification from his Grace the Secretary of State to what extent this demand will be complied with, I shall be enabled to report the probable number which the convict department will be prepared to receive in the course of the year 1855. I may, however, remark, that should unforeseen circumstances render it expedient for Her Majesty's Government to send a larger number of prisoners here, I do not anticipate, from the experience we have gained and the arrangements now at his Excellency's command, that there will be any difficulty as to their disposal.

I have, &c.

The Honourable the Colonial Secretary,
&c. &c. &c.

(Signed) E. Y. W. HENDERSON.

CONVICT DEPARTMENT.

Comptroller General's Office, Fremantle,
May 19, 1854.

Number of Prisoners on the hands of Government.

Convict Prison, Fremantle	-	-	-	-	-	628
„ North Fremantle	-	-	-	-	-	30
„ Buidoon Road Party	-	-	-	-	-	19
Total on the hands of Government					-	677
Probable number to be discharged on tickets of leave to 31st March 1854	-	-	-	-	-	500
Remaining on 1st January 1855	-	-	-	-	-	177

Including colonial and reconvicted prisoners.

Accommodation.

	Accommodation.						Prisoners.
Fremantle Prison	-	-	-	-	-	-	776
North Fremantle	-	-	-	-	-	-	120
Freshwater Bay	-	-	-	-	-	-	80
Total	-	-	-	-	-	-	976

In addition to which, 200 prisoners can be provided for, if necessary, at Guildford and adjacent road parties.

(Signed) E. Y. W. HENDERSON, Comptroller-General.

No. 17.

No. 17.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 54.)

Government House, Perth, May 22, 1854.

(Received August 8, 1854.)

(Answered No. 35, October 28, 1854, page 216.)

MY LORD DUKE,

I HAVE the honour to transmit the accompanying list of convicts who will be entitled to conditional pardons between the 1st December 1854 and 1st July 1855, and have to request that I may be furnished with the proper authority for issuing the same.

It has been impossible to comply with the regulation requiring the application to be made about one year before the convict becomes entitled to his conditional pardon, in consequence of several of the men who have only just arrived in the colony by the "Sea Park" being eligible for their pardons in December and January next, being detained a long time in English prisons.

WESTERN
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I would therefore submit for your Grace's consideration, that it would be better in cases where convicts are detained long in English prisons, and become eligible for their conditional pardons within a year from the date of their arrival here, that the authority for the issue of their pardons at the regulated period would, if sent out with them, obviate the delay which must otherwise necessarily occur, and which causes much dissatisfaction among these men.

I have, &c.,
(Signed) CHARLES FITZGERALD.

The Duke of Newcastle,
&c. &c. &c.

No. 18.

No. 18.

EXTRACT of a DESPATCH from Governor FITZGERALD to the Duke of
NEWCASTLE; dated Government House, Perth, June 23, 1854.

(No. 63.)

"I am happy to state, that notwithstanding the great number of convicts who have been introduced into the colony, its social condition would stand comparison with any other part of Her Majesty's dominions; crimes of a serious character, as I have already shown, are of rare occurrence. The success which has attended the management of the convicts may be ascribed to the following causes:

"Firstly, the amount of liberty enjoyed by every ticket-of-leave holder, so long as he conducts himself with propriety;

"Secondly, the salutary firmness and decision which the magistrates evince in dealing with those who relapse into crime, or in other respects render themselves unworthy of being at large. The advantages attendant upon this mode of dealing with the ticket-of-leave holders operates favourably on the minds of the prisoners within the convict establishment, for the latter individuals thereby become aware that while a course of good conduct is certain to lead to comparative freedom, the reverse must lengthen the period of their incarceration.

"As a further proof of the advancement of this colony, I would place in juxtaposition the revenue of 1848, when I first undertook the administration of the government, and that of 1853:

	£
The former amounted to - - - - -	8,700
The latter - - - - -	28,800
Showing an increase of - - - - -	20,100

This state of prosperity is no doubt attributable to the large convict expenditure, as well as to the increased amount of labour, bond and free, contemporaneously introduced, and which the settlers were thereby enabled to employ; and had it not been for the marvellous discoveries of gold in the province of Victoria, and the dazzling allurements consequent thereon, I firmly believe the progress of Western Australia would have very far exceeded even that which I have now the pleasure to record. On the other hand, I feel equally convinced that had it not been for the antecedent introduction of convicts, the fascinations of the gold fields would have literally so depopulated this settlement, as ere this to have reduced its inhabitants to such officials as it might have suited to remain in the service of the government."

No. 19.

No. 1.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 66.)

Government House, Perth, June 30, 1854.

(Received October 6, 1854.)

MY LORD DUKE,

(Answered No. 44, November 28, 1854, page 218.)

I HAVE the honour to transmit the enclosed communication from the Roman Catholic Bishop complaining of the decision your Grace had come to with reference to discontinuing to the Roman Catholic chaplain of the convict

establishment his former house allowance, which is still permitted to be drawn by the Protestant chaplain.

2. Having submitted the views of the Bishop to the Comptroller General, I have the honour to forward for your Grace's information the opinions entertained by that officer having reference to the nature of the duties and responsibilities discharged at present by the Roman Catholic chaplain, and to what extent they will possibly be diminished by the close of the year, if fresh drafts of men of that persuasion be not sent before then to the colony.

3. At the present time the number of Roman Catholic prisoners within the walls of the establishment exceeds that of the Protestant; and aware as I am how much the former feel anything that appears like a slight to their clergymen, and how well their present chaplain has discharged his duty, and supported the authority of the officers of the establishment by inculcating obedience to prison rules and regulations, I could have wished your Grace's decision had been stayed a little longer, until the number of Roman Catholic prisoners were reduced gradually by discharge below that of the Protestant; the matter would then have admitted of a different construction; but on the other hand, before recognizing the claim of the Roman Catholic clergyman as equal to that of the Protestant, it may be fairly considered whether he be entitled to such, as the former, from his vow of celibacy, never become liable to the incumbrance of a family, and further, whatever stipend he receives goes into a common fund, so that any decrease of income is not personally felt by him.

4. I beg leave also to state that I fully concur with the Comptroller General, that if it is your Grace's intention to send to this colony large drafts of Irish Roman Catholic prisoners, the absence of a separate place for Divine service will be severely felt, and be a source of trouble and inconvenience to those in authority.

5. In a former Despatch, No. 25* of 8th February last, I reported to your Grace that the amount of stipends at that time paid to Roman Catholic clergymen for their ministration to the various parties of Roman Catholic prisoners in the convict establishment and on road parties throughout the colony on the arrival of the "Robert Small" and "Phœbe Dunbar," amounted to 680*l*. I have now to report that from the discharge of numbers of these men on tickets-of-leave from the public works, rendering these visitations no longer necessary, the amount is reduced to 254*l*. 12*s*., with forage allowance for one horse; that is, 200*l*. for the Roman Catholic chaplain of the establishment, and 54*l*. 12*s*. to another, with forage, for visiting the only remaining prison party employed on the road.

* Page 114.

I have, &c.,
(Signed) CHARLES FITZGERALD.

The Duke of Newcastle,
&c. &c. &c.

Enclosure 1 in No. 19.

Encl. in No. 11

SIR,

Perth, May 30, 1854.

I HAVE the honour to acknowledge the receipt of your letter of the 17th instant, enclosing copy of a Despatch from the Secretary of State for the Colonies relative to the allowance for quarters to the Catholic chaplain at the convict establishment, and to the Catholic chapel for the Catholic prisoners at the same; and in reply, I beg leave to state for his Excellency's information, that being perfectly convinced of the liberality and impartiality of his Grace the Duke of Newcastle, I cannot conceive his reasons for depriving the Catholic chaplain of his allowances for quarters, while the same are allowed to the Protestant chaplain at the same place, only by supposing that his Grace perhaps is not informed of the whole matter, or is not aware of the serious and troublesome daily duties of the Catholic chaplain, nor even perhaps of the great many difficulties in order to procure the necessaries of life in this colony. The Rev. Mr. Cornelius T. Toourey, Catholic chaplain at Bellmain, receives from the Government for visiting once every week under 200 Catholic prisoners at Coketoo Island, the salary of 150*l*. per annum, the boat hire and other expenses being defrayed besides by the Government, and this is not considered but fair. Now you are aware that I am paying a good sum of money for lodgings or quarters for the Catholic chaplain who attends upon the convicts at Fremantle, that the Catholic chaplain's attendance to the establishment is not once every week but least three times every day—morning, noon, and evening, that he is in the establishment not only the whole day almost, but also in the night time when required, that the number of Catholic prisoners was a few weeks since not less than 550, and that his appointment being exclusively for the

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establishment, the Catholics of the colony at large are deprived of his services, and this in the present circumstances in which the number of Roman Catholic clergymen is so small and the Catholic community so much scattered throughout the colony, it is not of a little consequence. I therefore most earnestly hope his Grace the Duke of Newcastle, taking the matter into kind consideration, will not deprive the Catholic chaplain of the allowance of quarters, and will not suffer any difference to be made between Protestant and Catholic chaplains, being but just that having both similar duties to perform, shall also enjoy equal and impartial advantages.

With regard to the chapel for the Catholic prisoners in the establishment, the Secretary of State seems to allow the erection of one alone, and this not Catholic but Protestant. Now I am certain his Grace does not intend to say by not allowing the erection of a separate chapel for the use of Roman Catholic prisoners that they the Catholic prisoners ought to attend the Protestant divine service at the Protestant chapel, but then the performance of the Catholic divine worship, and that according to the Church of England ought to be at different hours, which will give to many occasions of serious difficulties, but even this it seems to me impracticable, for the rites and ceremonies of our Church vary so much from those of the Church of England, and the place ought to be so differently disposed that renders it impossible. Moreover, many of the Catholic prisoners or perhaps all of them, will refuse to attend the Catholic divine service, and to comply with their religious duties in the Protestant chapel, and then who will be accountable for the consequence of their refusal?

I trust his Excellency the Governor will again move his Grace the Secretary of State for the Colonies to the absolute necessity of a separate chapel in the establishment for the use of the Catholic prisoners. They indeed do not expect to have anything like a cathedral, but only a chapel capable of containing all of them within its walls, which can be obtained at no great expense.

I have, &c.
(Signed) ✠ R. SALVADO,
Bishop of Port Victoria.

The Hon. the Colonial Secretary.

Encl. 2 in No. 19.

Enclosure 2 in No. 19.

Comptroller General's Office, Fremantle,
June 16, 1854.

SIR,

I HAVE the honour to acknowledge the receipt of your letter, dated 13th June, enclosing by his Excellency's direction a letter from the Right Reverend the Roman Catholic Chaplain at the Convict Establishment, Fremantle.

The statement of the onerous duties of the Roman Catholic Chaplain, at the Convict Prison, Fremantle, as made by the Bishop, is correct as regards the present, but the number of prisoners under his charge is daily and rapidly diminishing.

At the present date there are 371 Roman Catholics in the prison, and by the end of the year there will not be more than 100.

Being of course in entire ignorance to what extent it is the intention of Government to send convicts from Ireland, who as a rule will be Roman Catholics, I cannot arrive at any conclusion as to the probable number which the Roman Catholic Chaplain will have under his charge.

On this point of course his Grace the Secretary of State will be in a position to decide, and should English convicts alone be sent, the duties of the Roman Catholic Chaplain will be very subordinate to those of the Protestant Chaplain, who has in addition to his clerical duties the charge of the library schools, &c.

Should it be the intention of Government to continue the transportation of Irish Roman Catholic prisoners to this colony in numbers sufficient to render it probable that about half the prisoners in the Convict Establishment will be Roman Catholics, I should respectfully recommend that a chapel, however plain and simple as a separate place of worship, be built by prison labour, as from past experience I am sure the want of such a building will be a constant source of complaint and annoyance.

The Hon. the Colonial Secretary,
&c. &c. &c.

I have, &c.
(Signed) E. Y. W. HENDERSON.

No. 20.

No. 20.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the
Duke of NEWCASTLE.

(No. 71.)

Government House, Perth, July 25, 1854.

My LORD DUKE,

(Received December 5, 1854.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 41, of the 28th of March last, reminding me that I had not

yet furnished the information that was called for by your Despatch* No. 3, dated the 11th of January 1853.

WESTERN
AUSTRALIA.

2. I have now the honour to report that the night warders enumerated in the schedule of appointments during the quarter ending the 30th Sept. 1853, alluded to by your Grace, had no reference whatever to the substitution of warders for the pensioner guard previously employed over the convicts in the year 1852, but to an increased number of warders taken on preparatively to meet the wants of the convict establishment, for the reception and custody of the 600 prisoners then daily expected in the ships "Phœbe Dunbar," and "Robert Small," as communicated by your Grace.

3. The staff of warders had been previously reduced in consequence of the diminution in the number of prisoners in the establishment; and the numerical strength of these officers has always been below the scale laid down for the English prisons.

4. I have further to explain to your Grace that my only reason for not replying to your Despatch No. 3, of the 11th January 1853, in which you called upon me to furnish for the information of the Lords Commissioners of the Treasury an accurate account of the details of the charge both under the new and the previous arrangements of substituting warders for the military guard, arose solely from the impression that my Despatch No. 172, of the 4th of November 1852, reporting a return to the old system for the reasons therein mentioned, rendered any such statement no longer necessary.

5. I have now the honour to report that had circumstances permitted the Comptroller General to carry out the suggestion of substituting warders for the military guard, a saving of 699*l.* 15*s.* would have been effected, as shown by the following statement:—

The expenses calculated were,

	£	s.	d.
39 pensioners at 2 <i>s.</i> a day enrolled pay	-	-	1,423 10 0
15 warders at 30 <i>l.</i> per annum	-	450 0 0	
Rations, 18 <i>l.</i> 5 <i>s.</i> each	-	273 15 0	
	£723 15 0	723 15 0	
		£699 15 0	

Quarters and clothing were about the same for each.

I have, &c.

The Duke of Newcastle, (Signed) CHARLES FITZGERALD.
&c. &c. &c.



No. 21.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the
Duke of NEWCASTLE.

No. 21

No. 74.

Government House, Perth, July 29, 1854.

(Received December 5, 1854.)

(Answered, No. 12, January 24, 1855, page 221.)

MY LORD DUKE,

IN reply to your Grace's Despatch No. 35, of the 8th of March last, I have the honour to inform you that Reg. Nos. 132, John Pidgeon, and 88, John Sheen, came out in the ships "Scindian" and "Hashemy," and to all convicts who arrived in those vessels, a remission of half the period to be passed on public works was granted by the Secretary of State in his Despatch, No. 83 of 8th March 1850, as an encouragement, I presume, to good conduct at a time when the Colony may be said to have been totally wanting in a place of security for prisoners of this class.

2. The benefit of this remission was felt by the men in the issue of their conditional pardons, as agreeably to the ticket-of-leave regulations a definite time has to be served by each man on ticket-of-leave previous to his being entitled to a conditional pardon; this period is reckoned from the date of his ticket-of-leave.

* Page 228 of Papers on Convict Discipline, presented to Parliament by Her Majesty's command July 18, 1853.

WESTERN
AUSTRALIA.

3. I have therefore to request your Grace's instruction on the important point of regulating on some fixed principle the circumstances that determine the period of servitude before a prisoner of the Crown is entitled to a conditional pardon. It is obvious that under existing regulations a man who has no remission of penal servitude but gets his ticket-of-leave in the ordinary course, must serve half his whole sentence before being entitled to a conditional pardon. But in the other case of a prisoner who from any circumstances obtains a remission of time (as in the case under consideration), and obtains his ticket-of-leave earlier than he otherwise would, the question to be determined is, whether the right of his conditional pardon is still to be confined to the fact of his having served half his whole time, or whether he is to receive that boon on completion of the required period of service on ticket-of-leave, as carrying on the advantage of the original boon of his remission from penal servitude without reference to his having served half his whole time or not.

I have, &c.,

(Signed) CHARLES FITZGERALD.

The Duke of Newcastle,
&c. &c. &c.

No. 22.

No. 22.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

No. 75.

Government House, Perth, August 3, 1854.

(Received December 5, 1854.)

MY LORD DUKE,

(Answered No. 8, January 16, 1855, p. 220.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch No. 32,* of the 6th March 1854, calling upon me to report as to the desirability of sending female convicts to Western Australia.

2. A question so pregnant with important consequences to the future of the colony, I feel assured your Grace will be of opinion should not be hastily decided upon, more especially by a Governor on the eve of departure, without first obtaining the full and free expression of public opinion.

3. With this view I have felt it my duty to publish your Grace's despatch, in consequence of which public meetings have been held at Perth, Fremantle, and York, towns having the largest populations, and embracing, I would say, nearly half the whole community. At Perth the majority are decidedly opposed to the measure, equally so at York; at Fremantle the question, I hear, was carried for the introduction of female convicts by a majority consisting principally of ticket-of-leave men, who, in my opinion, should never have been permitted a voice in the matter. The proceedings of these meetings, as reported in the public journals, are herewith transmitted.

4. On the whole I feel bound to declare that the majority of all those who are respectable and have a large stake in the colony are decidedly opposed to the introduction of female convicts in any shape, so much so that more than one of the principal landed proprietors have expressed their fixed determination to sell all their property and leave the colony whenever it is resolved to send them here.

5. On the other hand, it must be admitted that there are some highly respectable men in favour of the measure, most of them, I believe, influenced in their advocacy by the benefits of the anticipated increased expenditure which the introduction of these women must necessarily create; and although this increased expenditure would be alike beneficial to those opposed to the measure as to the opposite party, they are prepared to sacrifice all such considerations to the more important one of not being driven to the necessity of introducing into their families and households women of such an objectionable class.

See "Inquirer"
Newspaper.

* Page 275 of Papers on Convict Discipline, presented to both Houses of Parliament by Her Majesty's command May 1854.

6. At the same time it cannot be doubted that in a penal settlement one of the first considerations is the equalization, to a certain extent, of the sexes, to attain which great sacrifices must if necessary be made. If, therefore, I saw any insurmountable obstacle on the part of the free women to intermarry with our exiles, I confess that at all hazards I should not hesitate to advise the introduction of female convicts; but, my Lord Duke, while I see the large immigration of young unmarried women annually introduced by the judicious measures of Her Majesty's Government, and the disposition, as a general rule, of these young women to intermarry with these men, I confess myself relieved from all doubt on this important portion of the question; I am therefore of opinion the introduction of women so abandoned as female convicts generally are, and necessarily most unfit associates in any capacity for conditional pardon or ticket-of-leave men, would have a most prejudicial effect on the continuous good working not only of the ticket-of-leave system, but cause many a conditional pardon man to again return to the convict establishment from his bad associations, who, if married to a respectable free woman or immigrant, might have continued a useful and well-conducted member of society to the close of his life.

7. Here I would assure your Grace that more than one free woman of highly respectable character, and in a position quite above the very lower class, have taken to themselves husbands from the conditional pardon and ticket-of-leave holders. Similar opinions to these I have before expressed in my Despatch, No. 81 of June 7, 1852.

8. If, however, it is determined to send female convicts to this colony on tickets-of-leave, without any place of coercion being first provided for their safe custody and discipline, I can have no hesitation in stating as my opinion that the measure will be one of unmitigated evil not only to the parties themselves but to the colony at large, as there is every reason to believe not one of them would be absorbed in private service in this colony while a free female was to be found, and their position would therefore be that of mere outcasts.

9. Having now ventured to submit the various arguments that present themselves pro and con, I can only say that if it is the wish of Her Majesty's Government to find an outlet for female prisoners in a colony already a penal one, I see no reason why Western Australia should not be selected as well as any other colony; but, my Lord Duke, I trust a prison will first be built, or the premises of Mr. Seath, now in occupation as a temporary prison, be retained for the purpose after the male convicts are removed to the new prison.

10. The only other difficulty which presents itself at present is how these women are to be kept constantly employed, as if sent in large numbers the washing and making the clothing for the male convicts will only occupy half their time.

11. I do myself the honour to submit the views of the Comptroller General on this subject, with his rough estimate of a female prison, if erected at Fremantle; also a numerous signed petition from the inhabitants in all parts of the colony against the introduction of female convicts.

I have, &c.,
(Signed) CHARLES FITZGERALD.

The Duke of Newcastle,
&c. &c. &c.

Encl. 1 in No. 22.

Enclosure 1 in No. 22.

SIR,

Comptroller General's Office, Fremantle, April 10.

I HAVE the honour to acknowledge the receipt of your letter, dated 16th March, requesting by his Excellency's direction that I would furnish for the Governor's information a report on the expense of providing for the reception of female convicts in this colony, and my general views on the subject.

In the absence of any precise information as to the number of females for whom it would be necessary to provide accommodation, and whether such an establishment

should provide for their reception only, or for their being subject to long periods of penal restraint, it is impossible for me to furnish any precise estimate of the expense.

The expense of such an establishment would also materially depend upon the position selected; if constructed at Fremantle adjoining the male convict prison, the expense would in many ways be materially reduced; the same chapel would suit for both, separate services being of course performed. The washhouses, laundry, &c. intended for the male prisoners could be transferred to the female prison, and all washing performed by them.

In such a position also, materials for building and other facilities are immediately at hand, and strict supervision could be exercised at a moderate cost; at any other station these expenses would be materially increased.

It is not possible, without such information, to furnish an accurate estimate, but judging from the reduced estimate which was made for the reception of male prisoners, I should say that an establishment capable of containing 205 female prisoners in cells, and association with the necessary quarters for the superintendent—hospital, kitchen, and privies, &c., might, if erected at Fremantle, adjoining the male prison, with the facilities I have mentioned, be erected for a sum of from 7,000*l.* to 8,000*l.*

The experience gained in Van Diemen's Land, however, so far as I can gather from the Parliamentary Reports, appears to point out that the probationary punishment of female convicts should be carried out at home, and that they should be at once discharged on ticket of leave on arrival in the colony.

The success of any such scheme would of course depend on the facility with which such females would obtain private service or from marriages with ticket of leave men.

In Van Diemen's Land there would appear never to have been much difficulty in disposing of this class of servants, although there seems to have been great difficulty in their management, and coercion during their probation.

I am inclined to believe that if proper prison accommodation were provided for female convicts here, our difficulties would be precisely the converse of those experienced in Van Diemen's Land.

With proper accommodation and supervision, discipline, and order could be as well carried out here as anywhere else—but the demand for female servants is so limited and so fully supplied by the emigrant ships, that few would obtain private service, while the ticket-of-leave men have found no difficulty in obtaining wives among the emigrants and free inhabitants of the colony; the demand for wives from the convict class would, therefore, be probably also limited.

I have the honour to enclose a Return, showing the number of marriages sanctioned by his Excellency, between ticket-of-leave holders and free women in this colony during the years 1850, 1851, 1852, 1853, and 1854. The number has gradually but steadily increased, and such marriages are now of constant occurrence.

So far as I am able to judge in the present position of the colony, the number of female convicts who would be absorbed by the labour market or by marriage would be too small to justify the heavy expenses of their supervision, housing, and maintenance.

Should the wants of the colony increase, and be unsupplied by free emigration, I consider the introduction of female convicts would be most desirable; the balances of the sexes in a penal colony being of the utmost importance, especially if a selection could be made of the best conducted, and sent out in small numbers at a time, proper accommodation and supervision being considered indispensable.

I have, &c.

The Hon. the Colonial Secretary.

(Signed) E. Y. W. HENDERSON.

ESTIMATE of probable Expense of constructing a Female Convict Prison at Fremantle,
West Australia.

For 205 prisoners :—

	£	s.	d.
125 cells and associated rooms for 80 prisoners	2,300	0	0
Exercising yards	100	0	0
Boundary wall, porter's lodge	100	0	0
Kitchen, washhouse, &c.	400	0	0
Hospital, surgery, &c.	350	0	0
Officers	250	0	0
School rooms, work rooms, &c.	1,200	0	0
Officer's quarters, &c.	2,000	0	0
	6,700	0	0
Contingencies	670	0	0
	£7,370	0	0

(Signed) E. Y. W. HENDERSON, Capt. R.E.
Comptroller General.

CONVICT DEPARTMENT.

WESTERN
AUSTRALIA.

Return of Ticket-of-leave Men, who have obtained his Excellency's permission to Marry,
between the 1st June 1850 and 22d March 1854.

Half year ending 30th June 1852:—

Reg. No. 11. Thomas Trott	Reg. No. 473. Augustus Schmidt
„ 39. George Barker	„ 480. Joseph Freeman
„ 64. John Rasan	„ 692. William Tozer
„ 200. James Powell	„ 706. George Smith
„ 465. William Drabble	„ 1,124. William H. Whitfield
„ 467. James Burnett	

Half year ending 31st December 1852:—

Reg. No. 42. William Drake	Reg. No. 896. William Summers
„ 144. William Stone	„ 971. John Skeldon
„ 456. Thomas Keeves	

Half year ending 30th June 1853:—

Reg. No. 8. William Carter	Reg. No. 211. William Linto
„ 76. Thomas Ensor	„ 223. Alexander Donaldson
„ 106. Henry Jones	„ 395. William Burnett
„ 168. Morris Sheehan	„ 995. John Wood
„ 180. Richard Ives	

Half year ending 31st December 1853:—

Reg. No. 59. Charles Pye	Reg. No. 687. William Rolfe
„ 62. James Osborne	„ 695. George Gall
„ 103. Thomas Woods	„ 717. Daniel Baughan
„ 119. William Robinson	„ 819. Henry Chambers
„ 178. George Walker	„ 861. Richard Prichard
„ 179. Thomas Jones	„ 865. Henry Bryant
„ 246. Thomas Rollins	„ 1,023. George Smith
„ 270. Robert Cousins	„ 1,033. William Davis
„ 291. John Stayner	„ 1,050. William Woollams
„ 314. Richard Burry	„ 1,184. James Thompson
„ 328. Patrick Finn	„ 1,193. John Abernethy
„ 368. John A. Wroth	„ 1,211. George Sadler
„ 686. John Holland	„ 1,810. George Reid

1st January to 23d March 1854:—

Reg. No. 164. Charles Marshall	Reg. No. 448. John Jarrett
„ 282. George Steel	„ 848. David Elder
„ 302. John Pearce	„ 1,686. William Hoddy

Fremantle, Western Australia, March 22, 1854.

(Signed) W. H. S. BROWN,
Registrar.

Enclosure 2 in No. 22.

Encl. 2 in No. 22.

To his Excellency Captain Charles Fitzgerald, &c. &c. &c., the respectful Memorial
of the undersigned Free Settlers in the said Colony,

Humbly sheweth,

THAT your memorialists have heard with alarm and apprehension, that a proposition has been made by the Duke of Newcastle, to introduce female convicts into this colony.

Your memorialists respectfully protest against the introduction of this class of criminals, being convinced that the requirements of the colony will be fully met by the importation of female immigrants, whereby the equalization of the sexes can be maintained and a supply of domestic labour secured, without that danger to the morals of the community which must necessarily ensue from the presence of female convicts.

Your memorialists are convinced that the admirable working of the system adopted for the reformation of male offenders would be impeded, and the future welfare of that class threatened by the introduction of female convicts, perhaps their confederates in, or instigators to crime in the parent state.

Your memorialists therefore pray that your Excellency will be pleased to represent to Her Majesty's Government the wishes of the colonists on this important question, and that you will support their earnest request that female convicts be not introduced into Western Australia.

(Signed by "J. T. Cooke," and 281 others.)

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No. 23.

No. 23.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the
Duke of NEWCASTLE.

(No. 77.)

Government House, Perth, August 5, 1854.

(Received December 5, 1854.)

MY LORD DUKE, (Answered No. 2. January 4, 1855, page .)

I do myself the honour to transmit an application from the Right Reverend Dr. Salvado, the Roman Catholic Bishop, for a stipend for himself and also for a clergyman whom his lordship is anxious to send to reside in the York district, with the view of placing him in such proximity to the large numbers of Roman Catholics now scattered on tickets-of-leave and in private service both there and in the adjoining district of Toodyay, as would enable him to give occasional religious comfort to these men, who are living at a distance of some sixty miles from Perth, where the Bishop resides, and who consequently, it would appear, are rarely ever visited by a clergyman of their persuasion, which is much to be lamented, aware, as I am, of the great influence these gentlemen possess over the minds of these men.

I regret much the inability of the Local Government to assist from colonial funds towards this object, as they already contribute stipends to the Roman Catholic clergymen to the full amount of their right in proportion to the number of that persuasion as compared with what other denominations of Christians receive. I should therefore gladly learn that your Grace would place the small sum of 300*l.* at my disposal for the purpose of giving to the Bishop some consideration towards covering his travelling expenses, and also a stipend to a clergyman whose duty I would make it to visit both the York and Toodyay districts monthly.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) CHARLES FITZGERALD.

Encl. in No. 23.

Enclosure in No. 23.

SIR,

Perth, June 29, 1854.

I HAVE the honour to acquaint you for his Excellency's information and kind consideration, that on my visit to the Catholic convict prisons and ticket-of-leave holders at Toodyay and York depôts, and road parties, I found these poor unfortunate men very much troubled and distressed, at not having many of them for more than nine months the comfort and assistance of religion, nor the pleasure of seeing a clergyman amongst them; they indeed, did not complain to me of anything, but of their being neglected in some degree in point of religion, and requested of me to send them occasionally a priest.

Being aware of the great moral power and control that a Catholic clergyman possesses over those men, and of the great and general benefit that derives from the chaplain's attendance to them, I wish I could send a priest to reside at York, but you are well aware that the means I have at my disposal do not allow me to cause such a good work to be done, nor even permit me to send a chaplain there three or four times in the year, although I am perfectly aware of the great necessity of doing it in order to keep up private and general good feelings, regularity, and good order.

I trust his Excellency will be pleased to take the matter into kind consideration, and to grant a proportionate sum of money to a Catholic clergyman in order to enable him to perform the above visits.

With regard to myself, I beg leave to state that the number of the Catholic inhabitants of this colony have been greatly increased by the ticket-of-leave holders, that their dispersion throughout the province placed me under the necessity of travelling, in order to visit them occasionally; that for that purpose I have travelled within the last two months upwards of 700 miles; that it being my duty to visit also the Catholic convict prisoners, I have done it, not only at the convict establishment at Fremantle, but also at the various depôts and road parties throughout the colony; that my travelling expenses have been very heavy and of much consequence to me, the whole being defrayed by myself; that the clergy engaged at the establishment, depôts, and road parties, require my careful superintendence as superior. My daily duties mental and physical, are indeed extremely anxious and laborious; that in every British colony where there are or were convicts as in New South Wales, Van Diemen's Land, and others, and also where there are not convict prisoners, as in the whole of the Bengal Presidency, Roman Catholic prelates are allowed annual stipends with similar pecuniary advantages as are granted to the Bishops of the Church of England. That the non-appointment of a Protestant Bishop for this colony does not make the least difference in the performance of my laborious duties.

I therefore earnestly hope his Excellency will be pleased to take the whole of the circumstances into kind consideration, and to grant to the Roman Catholic Bishop in this

colony (to the Right Reverend Doctor J. Serra, or to me in his absence,) an annual stipend and travelling expenses, in order to enable him or me, at present, to perform my ecclesiastical duties, and to impart the blessings of religion to those men under punishment or connected in some way with the convict establishments.

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I have, &c.
(Signed) ✠ R. SALVADO,
Bishop of Port Victoria.

The Hon. Colonial Secretary,
&c. &c. &c.

No. 24.

No. 24.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 82.) Government House, Perth, August 18, 1854.

MY LORD DUKE,

(Received December 5, 1854.)

IN reply to your Grace's Despatch No. 57,* of the 25th of April 1854, conveying your views on the various questions submitted with regard to pay and passage money, &c., of ticket-of-leave men, I have the honour to report that I have instructed the Comptroller General to enforce payment of 5*l.* as the annual instalment, save in the exceptional cases alluded to by your Grace.

There has been no difficulty in this matter, as the reduced payment had not come into operation pending your decision.

Ticket-of-leave men returning from no fault of theirs from private service, under the certificate of a magistrate, will, as your Grace has instructed, be dealt with in like manner as other able-bodied men who cannot earn their own subsistence, and will only receive such an amount as will keep them decently clad, to avoid bringing into question a Government establishment.

I have, &c.

The Duke of Newcastle, (Signed) CHARLES FITZGERALD.
&c. &c. &c.

No. 25.

No. 25.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 84.) Government House, Perth, August 22, 1854.

MY LORD DUKE,

(Received December 5, 1854.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch No. 44,* of the 13th of April last, and in reply have to state that a copy of Despatch No. 28 of the 28th of February last had upon receipt thereof been forwarded to Deputy Commissary General Mends, and I have instructed that officer to observe in the future preparation of the comparative statement which accompanies the Convict estimates, the further instructions contained in your Grace's Despatch No. 44.

I have, &c.

The Duke of Newcastle, (Signed) CHARLES FITZGERALD.
&c. &c. &c.

No. 26.

No. 26.

COPY of a DESPATCH from Governor FITZGERALD to the
Duke of NEWCASTLE.

(No. 97.) Government House, Perth, August 30, 1854.

MY LORD DUKE,

(Received Dec. 5, 1854.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch No. 39,† of 12th of March last, enclosing certain correspondence with the Home Office, and drawing my attention to the information furnished in that of Major Larcom's.

* Page 283 of Papers on Convict Discipline, presented to Parliament by Her Majesty's command, May 1854.

† Page 280, *ibid.*

‡ Page 278, *ibid.*

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2. In reply I have the honour to state that the Return alluded to was furnished the Comptroller General by the Surgeon Superintendent, but which Return I would remark merely gave information as to the original sentence, but none as to the length of imprisonment the prisoners by the "Robert Small" and "Phœbe Dunbar" were to undergo in this colony. The copy of Major Larcom's letter is the first intimation that has been received on the subject, and much inconvenience has been the result, as the regulations in force in the English prisons do not apparently exist in the Irish prisons; and many of the Irish prisoners have served much longer periods than any English prisoners would have done under the circumstances.

3. My attention has also been called by the Comptroller-General to the difficulty created by the different regulations in force in England and Ireland, as regards the period of servitude on public works, and the gratuities allowed in English and not in Irish prisons.

4. The English prisoners arrive here with a certain amount of earnings to their credit, which, however small, is of immense advantage to them on obtaining tickets-of-leave, and is greatly prized, but the Irish prisoners have nothing.

5. The English prisoners are only required to serve a certain portion of their sentence of exile on the public works, and if well conducted are discharged under fixed regulations when a certain period has elapsed, whereas no such rule is applied apparently to Irish prisoners, and all who were received in the "Robert Small" and "Phœbe Dunbar," have been required to serve much longer on public works than the English prisoners. It is hardly necessary to point out the difficulties and discontent thus created when English and Irish prisoners are mixed in the same establishment as in this colony under such different circumstances.

6. I would therefore respectfully urge that if this is to be a penal settlement for the reception of English and Irish prisoners, their treatment be assimilated here unless political or other considerations render the present system essential to law and order.

7. It is now only necessary I should acquaint your Grace with what has been done with these prisoners under the circumstances of no definite instructions having been given for my guidance, as to the periods at which it was determined these men should be discharged on tickets of leave: after consulting with the Comptroller General it was determined to grant seven years' men who had already served five years a probation of three months on public works, and then grant them their tickets-of-leave; in the same way men of four years and upwards to serve a probation of six months; three years and upwards to serve a probation of nine months, and those who had not served three years to serve twelve months, and then become entitled to tickets-of-leave. The remainder were placed on No. 1 scale from date of landing, and worked on same regulations as English prisoners. These arrangements being the only feasible ones under the circumstances, will, I trust, meet with your Grace's approval.

I have, &c.

The Duke of Newcastle,
&c. &c. &c.

(Signed) CHARLES FITZGERALD.

No. 27.

No. 27.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the Right Hon.
Sir GEORGE GREY, Bart.

(No. 101.)

Government House, Perth, September 11, 1854.

(Received December 5, 1854.)

SIR, (Answered No. 15, January 26, 1855, p. 221.)

I do myself the honour of transmitting herewith the report of the Comptroller General of Convicts for the half year terminating the 31st of December 1853, with the usual statistical returns.

2. This report has from various causes, as stated by the Comptroller General, been somewhat delayed beyond the usual period.

3. I am gratified in being able to report that I continue to receive every assurance from the Comptroller General that good order, willing industry, and obedience to prison rules continue to be observed, with a few exceptions, within the principal establishment at Fremantle by the prisoners from the English prisons, with a most unusually small amount of punishment.

4. Some of the Irish prisoners per ships "Phœbe Dunbar" and "Robert Small" have proved in many instances, I regret to say, an exception to this very gratifying state of things; the result of recent experience and close observation of these men, you will perceive, induces the Comptroller-General to hope that men from the Irish prisons will not be sent to this colony with tickets of leave.

5. If therefore future drafts be sent, I fully concur with the Comptroller General in thinking that this class of prisoner, more especially than any other, should remain inmates of the prison at Fremantle under rigid control for at least twelve months, to give any hope of sending them forth into the community trained to habits of industry and self-reliance, which they appear to be somewhat indisposed to exercise in general.

6. The ticket-of-leave system, which appeared so very doubtful an experiment in so small a community, and upon which I had, at first, considerable misgivings how far it would prove beneficial and popular, has, I am happy to say, given universal satisfaction to all parties, not only from the good conduct of the men, the general utility of the labour of the class in assisting to develop the resources of the colony by the opening out of lines of roads, the construction of bridges over rivers hitherto impassable in the winter season, and the performance of many other works of great public need, but also from the great facility the system of establishing hiring depôts or stations of these men in each rural district throughout the colony affords to the settlers, in want of labour, to find such in comparative close proximity to their homes, who under another state of things, from their remoteness of position, could never have profited by such.

7. It cannot, however, be denied that the establishment of these depôts has been attended in the first instance with some cost to Her Majesty's Government, and trouble and anxiety to the authorities, as compared with what would have been incurred had these men been more concentrated in the neighbourhood of Fremantle and Perth; but it will be obvious that it would have been highly inexpedient, in a disciplinary point, to concentrate seven or eight hundred of these men in any one locality, and that had such been done several hundreds, now in private employment, would have been still on the hands of Her Majesty's Government at considerable cost, with the additional difficulty of having to contend against the discontent and turbulence of these numbers at not being before employed in private service, as they would urge that from being kept so much at head-quarters, in a depôt, to labour for the Crown at the lowest rate of wages, and thus, though discharged on tickets of leave, prisoners in all but in name.

8. In support of this view, I have the honour to state that out of 2,232 discharged on tickets of leave, 1,614 have found private employment, more by this arrangement than by any other; and as this is the last occasion I may have the honour to offer an opinion on this subject, I have no hesitation in stating that the success of the ticket-of-leave system in this colony essentially depends on the distribution of the men throughout its length and breadth, and that under any other system the number of these men that would now be on the hands of Government, in excess of the present, could not be less than 300, which, estimating the cost for the rations, pay, supervision, and lodging of that number at 36*l.* a year each man, Her Majesty's Government would be at this moment incurring an expense of 10,000*l.* or 11,000*l.* a year more than at present, instead of the sum of 3,000*l.* or 4,000*l.* that may have been and is being expended, in establishing and completing these depôts.

9. In this view of the matter, and deeply impressed with its advantages, I have been induced to address your predecessor so urgently on the necessity of having a Government vessel to supply the wants of these depôts along the sea-board of the colony, more especially those stations at Albany and Port Gregory, the one 300 miles south of Fremantle, the other the same distance north,

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districts that have alone absorbed 300 men, which would never have taken one, had they not been sent at the expense of the Government to these distant districts.

10. Another gratifying fact of this ticket-of-leave system is, that the passage money paid by these men up to this time, from its commencement, has more than met their earnings from the Crown on public works.

11. The conditional-pardon men who remain in the colony are fast merging into the general population, many of them becoming small farmers, others again entering into business as respectable tradesmen, and employing many ticket-of-leave men, without, I am happy to think, exciting the slightest feeling of jealousy in the minds of the free, even by those pursuing the same calling, notwithstanding they have in many instances proved successful competitors in the labour markets.

12. The public works continue to progress, with every prospect of the new prison being fit for occupation by the expiration of the lease of the provisional prison, which will of course be surrendered next year to its proprietor, unless Her Majesty's Government determine to make this a penal establishment for females, in which case it will be absolutely necessary to renew the lease for that purpose, at an increased rent, until a permanent female prison be erected.

I cannot close this Despatch without urging, in the most anxious manner, the necessity that exists of keeping up our prison numbers to never less than 700 or 800; at this moment 1,000 could be received and employed with advantage on the numerous public buildings, principal and auxiliary, in connexion with the convict system throughout the colony, as by the close of the year, notwithstanding the numbers arrived here by the convict ship "Ramillies," there will not remain in the principal establishment at Fremantle more than 432 prisoners available for labour on public works, from the number that will be entitled to discharge between this and that time.

I have, &c.

(Signed) CHARLES FITZGERALD.

The Right Hon. Sir George Grey, Bart.

&c.

&c.

&c.

Encl. in No. 27.

Enclosure in No. 27.

COMPTROLLER GENERAL'S HALF-YEARLY REPORT for the Period ending December 31, 1853.

Comptroller General's Office, Fremantle,

SIR,

May 1, 1854.

I HAVE the honour to forward to your Excellency the usual half-yearly report of the Convict Department in this colony for the period ending 31st December 1853.

Considerable delay has occurred in the transmission of this report with its accompanying returns, consequent partly on the voluminous and somewhat unavoidably complicated returns required from the Convict Prison Establishment and the Engineer Department; but more particularly from the delay which arises in obtaining from the various resident magistrates the half-yearly returns of the ticket-of-leave holders in their respective districts.

According to the regulations every ticket-of-leave holder is bound to report himself to the resident or police magistrate of his district between the 1st and 14th of January and the 1st and 14th of June in each year, either personally or in writing; furnishing at the same time, on a printed form, full particulars of his name, ship, employer, rate of wages, &c. But the extent of the districts into which this colony is divided, and the distance of the farms and stations where the ticket-of-leave holders are employed are so great, and the means of communication so unfrequent, that the duty of collecting these half-yearly returns causes very great delay, and is quite beyond the limited police force at the disposal of the magistrates.

An increase to the mounted police force in the rural districts has become indispensable, not only from this cause, but I would also bring under your Excellency's consideration that the resident magistrates of the districts are the only persons responsible for the presence of the ticket-of-leave holders assigned to their districts. They, and they only, ought to know that each man hired into private service is with his employer, or if working on his own account is actually in the district, and that no men are wandering about the district without proper passes. It is only by keeping themselves accurately informed of the whereabouts of every ticket-of-leave holder reported to them from this office as being

assigned to their district that any sufficient check can be kept on the ticket-of-leave population, especially as regards absconding.

It is not, I conceive, possible for the resident magistrates, to whom the custody of the ticket-of-leave holders, and the security and good order of the districts, is confided, to perform these onerous duties with only two or even three mounted policemen, who are constantly called away on more legitimate police duties.

I believe in Van Diemen's Land the ticket-of-leave holders were formerly obliged to report themselves personally at the district police offices; but independent of the bad effect of assembling so large a body of men together, the inconvenience to employers, and the immense distances at which these men are employed, would render such a regulation most injurious and almost impracticable; and I conceive a proper supervision over this class, and an accurate knowledge of each man's movements, which is indispensable, can alone be maintained by a proper number of mounted police in each district, proportioned, of course, to its extent and the number of men assigned to it.

Two convict ships arrived during the six months referred to in this report, as per Return No. 1., bringing 604 prisoners.

Both these ships were from Ireland, and I cannot help again referring to the marked difference between the two vessels. The prisoners per "Robert Small" were well-behaved, comparatively healthy, and a useful body of men; those per "Phoebe Dunbar" were turbulent, very sickly, and as a general rule almost useless for any hard work.

The men by both ships were far below the average of English prisoners, both mentally and physically.

The behaviour of the men ex "Phoebe Dunbar" was worse on board ship than any previous body of men, and they have been the same since landing; and it took several months to recover them from the sickly and emaciated state in which they arrived.

Nineteen deaths occurred on the passage in the two ships, a number wholly unprecedented in former ships. More detailed observations, however, on these heads are made in the reports of the surgeon and superintendent of the Convict Establishment, Fremantle.

The necessary arrangements for providing prison accommodation for the additional number of prisoners thus somewhat unexpectedly arriving have been already fully reported, and having received the approval of the Secretary of State, it is not necessary that I should recapitulate them.

The additional accommodation thus provided has given us ample room for the reception of 1,000 prisoners without interfering with any of the ticket-of-leave depôts, except the one at Guildford.

The total number of prisoners and ticket-of-leave holders in the colony on the 31st December 1853 is shown on Return No. 2., and were thus distributed:—

English prisoners on the public works	-	-	-	847
Colonial ditto	-	-	-	5
Ticket-of-leave men under magisterial sentence	-	-	-	80
Probationary prisoners employed on road parties	-	-	-	24
Total prisoners	-	-	-	956
Ticket-of-leave men on public works	-	-	-	217
Ditto in hospital	-	-	-	2
Ditto in private service	-	-	-	687
Total ticket-of-leave men	-	-	-	906
Total	-	-	-	1,862

The distribution of the total number of convicts received up to 31st December 1853 (2,608) is shown in Return No. 3., viz.:—

Prisoners	-	-	-	876
Ticket-of-leave men	-	-	-	985
Conditionally pardoned	-	-	-	643
Freely pardoned	-	-	-	5
Deaths	-	-	-	93
Escaped	-	-	-	4
Missing	-	-	-	2
Total	-	-	-	2,608

The missing men there is no doubt were drowned while in the service of the Colonial Government, crossing to Rottenest Island.

It is satisfactory to me to be able to show so small an amount of escapes. The four reported were ticket-of-leave men who absconded from King George's Sound, the only place from which any such attempts have been successfully made.

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Return No. 4. is an abstract of the offences and convictions of free and ticket-of-leave holders in the colony during the six months ending 31st December 1853.

The total number of convictions during that period were—

Free men	-	-	-	515
Ticket of leave	-	-	-	414

Drunkenness is, as it ever has been, the prevailing crime, and materially swells the list of convictions; in fact, no less than one half the convictions recorded against ticket-of-leave men are for this offence.

The almost entire absence of crimes of violence is most satisfactory; and the amount of common assault and petty thefts is remarkably small, and about equally divided between the free and ticket-of-leave population.

The general good conduct of the ticket-of-leave men as a body has been the frequent subject of congratulatory remark among all classes in the colony, and I am glad to be able to continue my assurance to your Excellency of my belief that their conduct will continue orderly, peaceable, and industrious.

The average rate of wages as shown on Return No. 5. continues high, but as some men receive rations, and some do not, the return cannot be wholly relied on as an accurate rate; in future distinct returns of the wages of mechanics and labourers with or without rations will be made.

The high price of skilled mechanical labour greatly swells the average, while at King George's Sound many of the men were in the employment of the steam company who gave a high rate of daily pay.

So far as the Government are concerned no ticket-of-leave holder is allowed to refuse any reasonable wages.

The regulations on this head, as recently approved by your Excellency, are as stringent as possible, and every means is taken to carry them into effect.

The anxiety of men to leave the public works, where they are now subject to more discipline and restraint, and on which the wages are as far as possible reduced, is however the best security on this important point, the rate of wages nevertheless keeps up, as employers will only take such men as they really want, and are willing to pay good men at a fair rate.

Many sources of employment are opened up by ticket-of-leave men working on their own account and thus giving employment to others, so that although the labour market has not developed so rapidly as might have been anticipated, out of 906 men nearly 700 were in private employ on the 31st December, and many of those left on the hands of Government were unfit for much work, and this absorption has taken place although a considerable number of free emigrants have reached the colony, and many men have received their conditional pardons and been thrown entirely on the labour market.

As a point materially connected with the well-being of the colony and the satisfactory position of the ticket-of-leave holders, I have much pleasure in calling your Excellency's attention to Return No. 6. of the number of marriages sanctioned during the half year. showing 26 men who received this permission, and most of whom are doing well.

The wives and families of seven ticket-of-leave men have arrived during the half-year, and many applications for a similar boon have been forwarded to the Secretary of State.

The importance of this arrangement is so fully recognized that it is not necessary for me to enlarge upon it further than to say that so far as I have had an opportunity of judging, it has been attended with the best results so far as it has hitherto been carried out.

Twelve deaths occurred during the half year among the ticket-of-leave men, as per Return No. 8, which also includes one man whose death was not previously reported by an error of the resident magistrate of his district.

The regulation enforcing the payment of a sum of money by each ticket-of-leave holder on account of his passage to the colony continues to be rigidly carried out, and the many difficulties connected with the establishment of this somewhat complicated arrangement having been surmounted, it has been made to work well.

The amount received on this account during the half-year was 1,609*l.* 13*s.* 7½*d.* of which 496*l.* 4*s.* 6¾*d.* was received by deduction from earnings on public works, 76*l.* 18*s.* 6¾*d.* being regulated allowance for prompt payment, and the remainder 1,036*l.* 10*s.* 6*d.* was received in cash.

The detailed returns No. 11, gives all particulars of payments made by ticket-of-leave men during the half year:

The amount paid in cash, 1,036*l.* 10*s.* 6*d.* has scarcely been sufficient to cover the whole expense of the wages of ticket-of-leave men on the public works, consequent principally on the arrival of no ticket-of-leave men during the half year.

The total amount of earnings on public works by ticket-of-leave men during the half-year was 1901*l.* 2*s.* 9¾*d.* of which 496*l.* 4*s.* 6¾*d.* was deducted for passage money, leaving a sum of 1,404*l.* 18*s.* 2¾*d.* received in cash for the purchase of clothing, soap, and other necessities.

The total amount of passage money received up to 31st December 1853, in cash, amounts to 2,546*l.* 18*s.* 2*d.*, and the total amount of cash paid on account of wages of ticket-of-leave

men on public works to 3,221*l.* 16*s.* 2½*d.*, so that the latter expenditure has been more than covered by passage money receipts.

The regulations now in force for the payment of ticket-of-leave men are given in Appendix A.

The rate of wages, as well as the amount allowed each man for the payment of absolute necessities, are now reduced to a minimum with reference to the price of clothing, &c. in the colony.

The report of the superintendent of the Convict Establishment at Fremantle, with returns from 1 to 14, and embracing the reports of the chaplain and surgeon, is given in Appendix B.

In this careful and intelligent document the superintendent has entered fully upon the various heads on which by his instructions he is called upon to report, and more especially to the system of classification, and the measures adopted for carrying into effect the system of penal discipline which has been adopted in this colony with such marked success, avoiding the extremes of mere coercion and punishment, or of undue lenity and kindness.

I can fully corroborate, from constant personal observation, the statements of the superintendent as to the general good conduct of the prisoners as a body, and the successful working of the present system in producing habits of order, industry, and obedience among them.

The remarkable absence of crime in the prison previous to the arrival of the Irish convict ships is a most gratifying proof of the well working of the system: out of five hundred prisoners only three offences are recorded in August, and six in September.

The course of treatment to be adopted towards the Irish prisoners—many of them enfeebled by disease and incapable of self control, their imaginations excited by new scenes, and their general physical and moral qualities of a low order—was anxiously considered and judiciously carried out under your Excellency's authority, and has been most successful; and the success which has attended the experiment of placing probation prisoners, after undergoing the severe form of imprisonment, in a state of comparative freedom before obtaining their tickets of leave, has been attended with such excellent results, that I hope most strongly that all men transported to this colony should leave England before the period of their servitude on public works has expired, so that on landing they should still be under restraint, and learn, before receiving their ticket of leave, somewhat of the country, the treatment they may reasonably expect, and learn to bound their hopes, fears, and expectations by the realities which they will have an opportunity of appreciating.

The accommodation now at your Excellency's disposal for prisoners is quite sufficient for the reception of as many during the year as will supply the place of those discharged on tickets of leave.

The system of appointing constables from among the prisoners, to aid in the preservation of order, cleanliness, and discipline, has been introduced during this half year. As a general rule, I have always considered placing one prisoner in a position of authority over another a questionable policy; but the most careful rules and arrangements were made for preventing either abuse of authority, confusion, or neglect of duty.

The success of the measure has far exceeded my expectations, and having been originated almost under compulsion, from the absence of proper officers to carry out the increasing duties of the establishment, it has been continued with increasing advantage, and has been extended to the ticket-of-leave depôts.

The regulations affecting constables at prison depôts are appended to the superintendent's report, and those for the ticket-of-leave depôts in Appendix C,

Consequent on the employment of constables, and the arrival of one or two warders from England, less difficulty has arisen from the indifferent class of men available as warders in the colony.

I fully concur with the superintendent in expressing a hope that warders will continue to be sent from England, as occasion may offer, the inefficiency, and constant punishments, and dismissals hitherto prevailing having the unavoidable effect of destroying respect or fear for the warders among the prisoners; while the warders, being constantly changed, can obtain no knowledge of the characters or dispositions of the prisoners.

Four attempts at escape have been made, all of which have, of course, failed, and may justly be characterized as silly. With the exception of one half-witted Irish boy, who ran he knew not whither nor why, the rest were re-convicted men, the worst of their class.

The utter hopelessness of escape renders it impossible to characterize these attempts other than as mere bravado or utter folly; but from this cause, and perhaps the heavy punishment inflicted on the last offenders, the crime appears to have ceased.

The question of suitable prison clothing, as adverted to by the superintendent, will be brought under your Excellency's consideration when the annual demands for the ensuing year are submitted.

The superintendent has gone fully into the very important question of prison crime, and I would only call your Excellency's attention to the fact that the English prisoners are by far the best conducted, and in fact, as a general rule, are exemplary in their con-

duct and industry. Next, but far below them, are the re-convicted prisoners; and last, the Irish prisoners.

So soon as the permanent prison at Fremantle is complete there will be no objection to receiving a proportion of Irish prisoners, but under no circumstances, I trust, will Irish prisoners be sent to this colony with tickets of leave. They should all most decidedly have a term of probationary imprisonment to undergo after landing.

Proper religious attendance on these prisoners, who are without exception Roman Catholics, is, however, indispensable, being almost the only influence to which these men are readily open, and being, in fact, the only means of appealing to their better feelings, but it is one of considerable expense.

The amount allowed from convict funds for religious instruction and consolation to the large body of Protestant prisoners and ticket-of-leave holders has been recently reduced by order of his Grace the Secretary of State to an allowance for one clergyman at Fremantle, (who, with the exception of a few casual ticket-of-leave parishioners, has few duties in connexion with the Convict Department,) one clergyman at York, and one at Bunbury.

But however much the want of religious ministration may be felt among the Protestant convict population, it can in some measure, though most inefficiently, be supplied by the superintendent's reading prayers on week days and service on Sundays. This is not the case with the Roman Catholic prisoners, who care for nothing but their priest; and from their peculiar form of worship little good can be expected to be worked among them but by their priests.

The Roman Catholics in this colony are very poor, and the priests will not attend the prisoners unless they are paid especially, as it is in many cases an expense to them to do so; and unless the expenses of such ministration are allowed I should sincerely trust no more Roman Catholic prisoners may be sent to this colony.

The present Roman Catholic chaplain of the Convict Establishment is a zealous, pains-taking, and temperate divine, and cordially co-operates with the superintendent in his endeavours to raise the moral character of the prisoners under his charge.

The causes of complaint referred to in his report of an undue apparent preference shown to Protestant prisoners I have inquired into, and finding they arose from misapprehension on his part, they have been explained away.

An altar has also been provided for the celebration of worship, and suitable books for the Roman Catholic prisoners.

In the Protestant chaplain, the Rev. J. Brown, we have a most able and indefatigable assistant in the labour and good work—it is to be believed not altogether in vain—of sending forth the prisoners out of captivity wiser and better men.

The schools under his direction and supervision have been most materially improved, and are now in a very satisfactory state.

To his religious duties he is most attentive, and I have no hesitation in attributing much of the good order among the men to his ministrations.

The question of a proper supply of library books has been already brought under your Excellency's notice, and a list of books sent home for approval.

I would, however, again call attention to its extreme importance, and again urge the utter uselessness of sending continually the same identical books which have been read and re-read in English prisons.

Wesleyan tracts, I would also observe, are a very unfit adjunct to the prison library.

The remarks of the chaplain on the importance of a judicious selection of religious instructors on board convict ships are perfectly just. I have always considered the period spent on board ship as the most trying of any during the convict's sentence, and one during which much of the good resulting from previous treatment is too often unfortunately destroyed.

The question of the establishment of model lodging houses is also worthy of consideration as a preventive to the many evils and temptations to which men on ticket-of-leave are subject in the low lodging and public houses to which they now necessarily resort.

The chaplain bears full and impartial testimony to the success of the system of prison discipline—remissions for conduct and industry, and employment of prisoner constables, as now in force; and it is a source of much satisfaction that its working is so materially assisted by one so unassuming and efficient.

I have already alluded to the state in which the Irish prisoners were landed from the "Robert Small" and "Phoebe Dunbar."

The surgeon in his report has gone fully into the case, and in the event of more Irish prisoners being sent to this colony, I would beg your Excellency to draw the attention of the Secretary of State to that portion of his report, and submit the necessity of those prisoners intended for embarkation to this colony being placed upon a course of diet some time previous to their departure.

The gratifying change which took place among the men who on their arrival presented a state of torpor, both mental and physical, under the change of scene, diet, and system, is fully reported on by the surgeon, and is well worthy of attention, as may also be the concluding paragraph of his report.

As regards the public works undertaken by the convict department, I have the honour to report to your Excellency that the labour of the prisoners at Fremantle has been almost entirely devoted to the construction of the permanent prison, with which consider-

able progress has been made; a portion of the boundary wall has been carried up fifteen feet high, and the punishment cells commenced.

A guard-room for the commissariat store and offices has been built, and also a stable and shed for the use of the commissariat officers at this station.

A boat-shed for the water-police boats, and a guard-room and cells for the pensioners barracks have also been built, and a retaining wall, five feet high, erected along the front of the barracks, and an armoury fitted up for this force.

A verandah has been added to the magazine guard-room, and all necessary repairs and authorized alterations have been carried out at the temporary convict establishment.

The whole of the stone required for these works is quarried by the prisoners; the lime is also burnt by them, and the wood is cut by the prisoner sawyers; all the smiths and carpenters work is done by the prisoners, under the direction and with the assistance of the sappers.

There are, however, very few mechanics among the prisoners, and, without the assistance and superintendence of the sappers, but little progress could be made with the numerous buildings which the convict department are called upon to execute.

A pile jetty in the north bay, near the mouth of the River Swan, has been commenced. This will be a great convenience to the service, and the public generally.

A party of prisoners were employed filling up two large and unwholesome swamps in the immediate neighbourhood of the convict establishment, and the result has been beneficial to the health of the prisoners as well as the town.

A large number of wooden depôts were constructed to give accommodation for the additional prisoners received, as well as wooden houses for the officers in charge at the newly-formed stations; these are strong and portable, and being made of the invaluable jarrah wood of the colony, which is very durable and resists the white ant, will last a long time. These buildings are much cheaper and more useful than canvass tents, which are unfit for winter use, and soon get destroyed.

In addition to these works, a large amount of furniture, wheelbarrows, and other implements and tools have been made for the out-stations.

The nineteen cottages for the pensioners at North Fremantle having been completed, the depôt at that station was taken down and carried about half a mile away from the village, where it has been re-constructed in a much more healthy position, and at the same time removed entirely from any intercourse with the pensioners and their families. This village, I have no hesitation in saying, will bear comparison with any similar village in any of the other colonies; the cottages are of stone, with two rooms. Each pensioner has an acre of ground; all are under cultivation, and the whole presents a most satisfactory appearance.

About sixty men from the "Robert Small" were sent to this station, and were employed levelling and forming the line of road determined on by your Excellency, between Fremantle and Perth, on the north side of the river; and another party of men were sent to Freshwater Bay, about half-way to Perth, and employed on the same work.

The work done by these two parties was most creditable, and a considerable portion of this important road, between the port and capital, was cleared, levelled, and macadamized with excellent hard limestone.

The approaches to the proposed bridge were also commenced.

A great improvement has been effected on some miles of the southern road where it crosses the rocky hills at Clarence, about ten miles from Fremantle, by a small party of prisoners.

The whole of these works have been under the immediate superintendence of Lieutenant Wray, R.E., whose report fully details them, and to whom the greatest credit is due for his unceasing and energetic supervision of the immense details of all these works.

The works in the eastern districts,—Guildford, York, and Toodyay,—under the superintendence of Lieutenant Du Cane, R.E., are detailed in the report of that officer, Appendix E.

The buildings connected with the depôts at the three stations,—York, Toodyay, Guildford,—for the reception of ticket-of-leave men on the hands of Government, have been proceeded with, as well as the stores and offices required by the commissariat department; these are gradually advancing, and will be complete in the course of the present year.

Pensioners cottages at York and Toodyay are also in progress.

The heavy bridge in course of erection across the River Swan at Guildford has been proceeded with, and the six bays which span the river completed.

Road parties have been employed on the main roads leading to York, Toodyay, and the Victoria plains, and have done good service, especially on the Toodyay road, on which an excellent new ascent of the Darling Range has been made, entirely avoiding any steep hills.

The road from York to Toodyay down the valley of the Avon, on which are numerous well-built bridges, has been opened for traffic as far as Northam.

The whole of these works and buildings have been executed by the ticket-of-leave men under the superintendence of the Royal Sappers and Miners.

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They have laboured under the unavoidable disadvantage of constant change of men, and continual alterations caused by the men daily entering private service or going out on their own account.

As far as practicable all materials for the buildings have been provided by ticket-of-leave labour, and the detail arrangements for checking the expenditure, so far as the engineer department is concerned, the arrangement of task work as far as possible, and general management of the works, are very satisfactorily performed by the officer in charge.

The only important work performed near Perth has been the commencement of a series of drains to drain the lakes at the back of the town.

The men at the stations near Perth were mostly sick or men who were of little use, all good men immediately obtaining private service.

The dépôts have recently been remodelled, and additional superintendence, which had become indispensable, placed over them, and they are now in a satisfactory state.

Eighty miles of road from Perth to King George's Sound were cleared by a party of ticket-of-leave men, averaging from forty to sixty men, assisted by a party of colonial prisoners and natives.

The work done on this road is detailed in the report of Lieutenant Crossman, R.E., Appendix F., and is most creditable to all parties concerned.

The men being so far removed from the settlements are unable to meet with private employ, and some dissatisfaction has been the result; this has not influenced their industry and conduct, but for such works as these the employment of probation prisoners is in every way desirable.

The dépôt at King George's Sound has been nearly empty, all the men sent there having entered private service.

The gaol and buildings connected with the dépôt have been proceeded with by the detachment of Royal Sappers and Miners stationed there, assisted by an occasional ticket-of-leave man returned to dépôt, and sometimes by the colonial prison gang.

The men belonging to the Bunbury dépôt have been employed in opening the new line of road towards Fremantle, of which fifty miles have been cleared to Mandurah by a party averaging twelve men daily during the six months.

The long causeway at the bridge over the Capel River, between Bunbury and the Vasse, which had become impassable, has been repaired and well macadamized, preparations for bridging the Ludlow River have been made, and the road cleared towards the Vasse.

The public stables at Bunbury for police and commissariat purposes, forage rooms, &c. were also commenced.

There were so few men belonging this dépôt, owing to the men entering private service or leaving with conditional pardons, that the Mandurah Road party was broken up, and replaced by a few probation prisoners; and the party at the Capel had also to be broken up, to enable the superintendent to proceed with the public stables.

A dépôt was established at Port Gregory, some three hundred miles to the northward, in May 1853.

The few settlers in that district, and the mining company, who work the Geraldine mines, have thus received a great benefit, of which they have not hesitated to avail themselves of—hiring out all the good men, and returning those who did not suit them to the dépôt. The consequence has been, that owing to the immense distance of this dépôt from head quarters, and the almost utter impossibility of sending fresh supplies of men there from the absence of any vessel capable of performing the service, the dépôt has gradually dwindled into an hospital for the settlers and mining company.

The few men left in dépôt suffered much from scurvy, and few of them were fit for much work; under these circumstances much could not be expected to be done.

A site for the dépôt has been chosen, and some of the buildings commenced. Two pensioners cottages have been built on the pensioners lots three miles from the dépôt, and are occupied.

A well has been sunk, fifty-five feet deep, and proved a failure, the water having gradually become brackish.

There is no timber in that district, and all the timber for the buildings must be sent from Fremantle at considerable expense.

Lieutenant Crossman's report of the state of this dépôt, and the works, is given in Appendix G.

Ticket-of-leave dépôts are now established in the seven principal districts of the colony; viz., Perth, Guildford, York, Toodyay, Bunbury, Albany, and Port Gregory.

The necessary buildings connected with these dépôts are rapidly progressing, and when complete more labour will of course be disposable for works of more value to the colony at large.

The employment of the ticket-of-leave men on the public works has been one of the most difficult portions of the system pursued in this colony; but under all the difficulties of the case, the system has worked well; the men have been orderly, and, under the stimulus of task-work, which has been applied in all practicable cases, industrious.

The regulations affecting their discipline while in dépôt or on road parties have recently been made more stringent, and the rate of wages reduced. I think the maximum has

been reached on these two points; for, under present prices and regulations, it is hard to say whether a man obtaining his ticket of leave, if obliged to stay in a dépôt from being unable to obtain private service, is any better, or even so well off as a prisoner. The ticket-of-leave man has to provide himself, out of $2\frac{1}{2}d.$ a day, with clothing, boots, soap, and tobacco, all of which, except the latter, are supplied to a prisoner, with a gratuity of from $3d.$ to $9d.$ per week besides. Ticket-of-leave men have, however, occasional liberty, and are eligible for private service.

As a general rule, in which I am sure your Excellency can from personal knowledge agree with me, the men on the public works are contented, orderly, and industrious.

Two most opposite conditions have to be fulfilled in the management of the ticket-of-leave men on the public works: the one, to hold out to them every inducement to enter private service, and none whatever to remain on the public works; the other, to get all the public buildings and works at stations far removed from head quarters done by them, to secure a full amount of labour, with very limited supervision, and at the lowest possible rate of wages that will suffice to enable them to clothe themselves with any degree of decency.

The difficulty of making men contented, orderly, and industrious under these conditions is too obvious to require comment, especially when the demand for labour is slack, and when men, however anxious, cannot obtain private service.

The success of the measures adopted under your Excellency's sanction is the more satisfactory in the face of so many conflicting interests.

The subject of the transportation of female convicts to this colony is now under consideration, and considerable difference of opinion appears to exist in the colony on this point.

The question will, I presume, be decided by the consideration which is due to the expressed wish of the colonists and the general interests of all parties concerned; but I would respectfully submit my opinion that, under any circumstances, it will be a most unsafe experiment to send female convicts here until a proper place is provided for their reception, arrangements made for their custody and control, and for giving them useful and remunerative occupation.

There is a strong feeling against employing them, which, as in the case of male offenders, may wear away; but there is no doubt that at the outset they would have very great difficulty in obtaining private service, and must remain on the hands of Government.

If these preliminary arrangements were made, I believe that, if well selected and sent in small numbers, their transportation to this colony might be carried into effect with advantage, provided the supply of free female immigrants is not sufficient to keep the colony supplied with female servants and the lower classes and ticket-of-leave men with wives.

I beg to add, that the unavoidably complicated details of the convict department are in a satisfactory state, considering the entire novelty of many parts of the system, and that, as far as possible, one uniform method of discipline, management, and records is in course of being established throughout the department.

I have, &c.

(Signed) E. Y. W. HENDERSON,

His Excellency the Governor.

Comptroller General.

SCHEDULE of RETURNS accompanying the Report of the Honourable the Comptroller General, for six months ending 31st December 1853.

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* These voluminous Returns are not printed.

166 FURTHER CORRESPONDENCE ON THE SUBJECT

WESTERN
AUSTRALIA.

No. 1.—RETURN of the Number of Convicts who have arrived in the Colony, between the 1st July and 31st December 1853.

Ship.	Date of Arrival.	From whence.	Number by Assignment List.	Deaths on Passage.	Number landed.		Deaths since landing.	Number now in the Colony.	Remarks.
					Ticket-of-Leave Men.	Prisoners.			
"Robert Small"	1853. 19 Aug.	Ireland	309	9	—	300	2	298	
"Phœbe Dunbar"	31 Aug.	Ireland	295	10	—	285	4	281	
			604	19	—	585	6	579	

(Signed) W. H. S. BROWN,
Registrar.
E. Y. W. HENDERSON,
Comptroller General.

Fremantle, Western Australia,
31st December 1853.

No. 2.—RETURN of the Number of Convicts and Ticket-of-Leave Holders in Western Australia on 31st December 1853.

English convicts employed on public works	-	-	-	847
Colonial ditto ditto	-	-	-	5
Probationary ticket-of-leave men ditto	-	-	-	24
Ticket-of-leave holders under magisterial sentence	-	-	-	80
Ditto in hospital convict establishment	-	-	-	2
Ditto on public works	-	-	-	217
Ditto private service	-	-	-	687

Total in the colony on 31st December 1853 - - - 1,862

(Signed) W. H. S. BROWN,
Registrar.
E. Y. W. HENDERSON,
Comptroller General.

Fremantle, Western Australia,
31st December 1853.

No. 3.—RETURN showing the "General Distribution" of 2,608 Prisoners and Ticket-of-Leave Holders, for the Half Year ending the 31st December 1853.

PRISONERS.			TICKET-OF-LEAVE HOLDERS.													DISPOSED OF.								
English.	Colonial.	Total.	Re-convicted.	Private Service.	Sick in Hospital.	Road Parties.	Survey Parties.	Local Gaols.	Depôts.						Total.	Conditional Pardons.	Free Pardons.	Escapes.	Missing.	Deaths on Probation.	Deaths on Ticket-of-Leave.	Deaths on Passage.	Total.	
									Mount Eliza.	Guildford.	Toodyay.	York.	Bunbury.	Port Gregory.										Albany.
871	5	876	80	687	2	43	10	2	30	3	44	33	21	24	6	985	643	5	4	2	27	42	24	747

RECAPITULATION.			
Prisoners	-	-	876
Ticket-of-leave holders	-	-	985
Disposed of	-	-	747
Total	-	-	2,608

(Signed) W. H. S. BROWN,
Registrar,
E. Y. W. HENDERSON,
Comptroller General.

Fremantle, Western Australia,
31st December 1853.

No. 4.—An ABSTRACT of the Offences and Convictions in the Colony of Western Australia of Free and Ticket-of-Leave Men, comparatively, for the Half Year ending 31st December 1853.

Nature of Offence.	District.	Number of Persons brought before the Police.							
		Free.				Ticket-of-Leave.			
		Con- victed.	Not con- victed.	Con- victed.	Not con- victed.	Con- victed.	Not con- victed.	Con- victed.	Not con- victed.
Absconding -	Fremantle -	5	1			2	1		
" -	Perth -	—	—			1	6		
" -	Toodyay -	3	1			4	—		
" -	York -	—	—			14	1		
" -	Wellington -	1	—			—	—		
" -	Albany -	—	—			1	—		
				9	2			22	8
Arson -	York -	—	—			1	—		
								1	
Assault (common) -	Fremantle -	10	6			10	3		
" -	Perth -	16	5			2	5		
" -	Swan -	3	7			—	—		
" -	York -	—	—			5	—		
" -	Wellington -	—	—			2	—		
" -	Albany -	5	—			1	—		
				34	18			20	8
Concealing birth -	Perth -	—	—			—	—		
					1				
Drunkenness -	Fremantle -	85	1			51	1		
" -	Perth -	38	—			44	—		
" -	Swan -	13	—			13	—		
" -	Toodyay -	11	—			23	—		
" -	York -	2	—			26	—		
" -	Wellington -	5	—			19	1		
" -	Champion Bay -	—	—			2	—		
" -	Albany -	54	—			21	—		
" -	Vasse -	3	—			1	—		
				211	1			200	2
Felony -	Fremantle -	2	2			2	2		
" -	Toodyay -	3	1			1	—		
				5	3			3	2
Forgery -	Perth -	—	1			2	—		
					1			2	
Larceny -	Fremantle -	—	3			—	—		
" -	Wellington -	1	—			—	1		
				1	3				1
Misdemeanor -	Perth -	27	7			27	4		
" -	Toodyay -	—	—			4	—		
" -	York -	—	—			8	8		
" -	Albany -	54	—			1	—		
				81	7			40	12
Perjury -	Perth -	1	1			—	—		
" -	Toodyay -	1	—			—	—		
				2	1				
Robbery -	Fremantle -	1	—			2	—		
" -	Perth -	9	7			10	1		
" -	Swan -	7	3			2	4		
" -	York -	—	—			2	—		
" -	Wellington -	—	—			2	—		
				17	10			18	5
Sheep stealing -	York -	—	—			4	2		
								4	2
Shooting with intent -	York -	1	—			—	—		
				1					
Stealing in a dwelling	Perth -	—	2			6	—		
" "	York -	1	—			—	1		
" "	Albany -	2	—			—	—		
				3	2			6	1
Trespass -	Swan -	—	2			—	1		
					2				1
Not particularized -	Fremantle -	126	7			63	38		
" "	Perth -	9	9			16	9		
" "	Swan -	7	12			9	13		
" "	Toodyay -	5	2			5	8		
" "	Wellington -	4	—			4	2		
" "	Champion Bay -	—	—			1	—		
				151	30			98	65
Total -	- - -	- - -	- - -	515	81	- - -	- - -	414	107

Fremantle, Western Australia,
31st December 1853.

(Signed) W. H. S. BROWN, Registrar.
E. Y. W. HENDERSON, Compt. Gen.

WESTERN
AUSTRALIA

No. 5.—RETURN of the Number of Ticket-of-Leave Holders who have entered private Service and the average Rate of Wages obtained in each District, during the Half Year ending 31st December 1853.

District.	Number of Ticket-of-Leave Holders who have entered private Service.	Average Rate of Wages per Man.
		£ s. d.
Fremantle - - - -	132	44 2 3
Perth - - - -	229	27 10 8
Swan - - - -	116	27 3 7
Toodyay - - - -	124	23 13 0
York - - - -	100	21 11 7
Bunbury - - - -	53	23 2 9
Champion Bay - - - -	86	20 3 1
Vasse - - - -	13	25 2 10
Murray - - - -	10	18 0 0
Canning - - - -	11	18 0 0
Albany, K.G.S. - - - -	60	58 8 10
Total - - - -	934	

(Signed) W. H. S. BROWN, Registrar.
Fremantle, Western Australia, E. Y. W. HENDERSON, Comptroller General.
31st December 1853.

No. 6.—RETURN showing the Number of Ticket-of-Leave Holders who have obtained Permission to marry during the Half Year ending 31st December 1853.

Reg. No.	Name.	Ship.
59	Charles Pye - - - -	"Scindian."
62	James Osborne - - - -	Do.
103	Thomas Wood - - - -	"Hashemy."
119	William Robinson - - - -	Do.
178	George Walker - - - -	"Mermaid."
179	Thomas Jones - - - -	Do.
240	Charles Rollins - - - -	Do.
270	Robert Cousins - - - -	Do.
291	John Stayner - - - -	Do.
314	Richard Barry - - - -	Do.
328	Patrick Finn - - - -	Do.
368	John A. Wroth - - - -	Do.
686	John Holland - - - -	"Minden."
687	William Rolfe - - - -	Do.
695	George Gale - - - -	Do.
717	Daniel Baughan - - - -	Do.
819	Henry Chambers - - - -	Do.
861	Richard Pritchard - - - -	Do.
865	Henry Bryant - - - -	Do.
1,023	George Smith - - - -	"Marion."
1,033	William Davis - - - -	Do.
1,050	William Woollams - - - -	Do.
1,184	James Thompson - - - -	Do.
1,193	John Abernethy - - - -	Do.
1,211	George Sadler - - - -	Do.
1,810	George Reid - - - -	"Pyrenees."

(Signed) W. H. S. BROWN, Registrar.
Fremantle, Western Australia, E. Y. W. HENDERSON, Comptroller General.
31st December 1853.

No. 7.—RETURN of Applications for the Wives and Families of Ticket-of-Ticket Holders and Prisoners during the Half Year ending 31st December 1853.

Nil,

(Signed) W. H. S. BROWN, Registrar.
Fremantle, Western Australia, E. Y. W. HENDERSON, Comptroller General.
31st December 1853.

No. 8.—RETURN of the Number, Cause, and Date of Death of Ticket-of-Leave Holders in the Colony during the Half Year ending 31st December 1853.

WESTERN
AUSTRALIA.

Reg. No.	Name.	Ship.	Nature of Disease.	Date of Death.	Remarks.
15	James Sweeny	"Scindian"	Chronic ulceration of the orbital cavity.	23 Oct. 1853.	
60	John Wilson	Do.	Congestion of the liver	24 Aug. "	
268	James Goldsborough	"Mermaid"	Drowned	25 " "	Body found 24 Oct. 1853.
397	John Higgs	"Pyrenees"	Epilepsy	3 Nov. "	
487	John Woottan	Do.	Continued fever	1 March 1852	Omitted in former returns.
1,276	William Holden	"William Jardine"	Insanity	11 Dec. 1853	Found dead.
1,650	Thomas Sutcliffe	"Dudbrook"	Inflammation of the bowels	31 " "	
1,654	George Wells	Do.	Drowned	19 Aug. "	Upsetting of a boat.
1,763	Edmund Champ	"Pyrenees"	Killed	18 " "	Branch of a tree falling on him.
1,840	George Pringle	Do.	Delirium tremens	24 " "	
1,844	Levi Small	Do.	Drowned	5 Sept. "	Crossing the Avon river.
1,995	George Hill	Do.	Disease of the lungs	19 Oct. "	
1,999	Thomas Smith	Do.	Dysentery	5 July "	

(Signed) W. H. S. BROWN, Registrar.
Fremantle, Western Australia, E. Y. W. HENDERSON, Comptroller General.
31st December 1853.

No. 9.—REPORTS OF THE SUPERINTENDENT, SURGEON, AND CHAPLAIN.

SUPERINTENDENT'S REPORT.

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Colonial Prisoners	-	-	-	-	-	-	170
Deaths	-	-	-	-	-	-	170
Ticket of Leave Holders in Hospital	-	-	-	-	-	-	170
Manner in which Sentences have been carried out:	-	-	-	-	-	-	170
English probation Prisoners	-	-	-	-	-	-	170
Irish ditto (received direct from Ireland)	-	-	-	-	-	-	171
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Reconvicted Prisoners	-	-	-	-	-	-	171
Classification system	-	-	-	-	-	-	172
Treatment of Prisoners	-	-	-	-	-	-	172
Species of Labour	-	-	-	-	-	-	173
Number of Hours Labour exacted	-	-	-	-	-	-	173
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Vacancies on 31st December 1853	-	-	-	-	-	-	173
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Offences, and Punishments for Prison Crime	-	-	-	-	-	-	174
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Appendices							
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Regulations for Constables	-	-	-	-	-	-	178

THOMAS H. DIXON,
Superintendent.

WESTERN
AUSTRALIA.

Schedule.

Conduct of
Officers.Offences by
Officers.

Distribution.

Number and
disposal of
Prisoners.
Prisoners on
Establishment.Reconvicted
Prisoners.
Colonial Prisoners.
Deaths.Tickets of Leave
in Hospital.Manner in which
sentences have
been carried out.
English probation
prisoners.

Superintendent's Office, Fremantle,

January 10, 1854.

SIR,

In accordance with clause 38 of the code of instructions issued for my guidance, I do myself the honour of forwarding you a schedule of returns, which are presumed to incorporate minute statistical information relative to the transactions of the convict establishment of Western Australia, during the late half year. Other data, which could not be compressed into that form, it will be my duty to lay before you in the compass of this report.

Proceeding in the order laid down in the clause referred to, I have the honour to report that the conduct of the subordinate officers attached to this service during the period in question has been, upon the whole, of an average character, and perhaps as satisfactory as the difficulties of local position would warrant us in expecting.

Under the most favourable circumstances the command of a supply of properly qualified persons to fill the office of prison warders, is a task of no little difficulty; but in a limited community, like that of this colony, with a scale of pay in force not at all proportionate to the high rates of the absolute necessities of life, and inferior in many respects to the average value of intelligent labour in this market, the difficulties are materially augmented.

I have the honour to forward a return* (No. 11.) showing the offences against prison rules committed by these officers during the half year.

This return will probably throw some light upon the difficulties we have to contend with in conducting the business of this establishment, even with those parties whose special business it is to render efficient assistance; at the same time it will show that the bonds of discipline are not relaxed, in relation to any class of individuals connected therewith.

In perusing this return it will be seen, that in a large majority of cases I was compelled to merely admonish the offender, although considering the interests at stake, strict justice would have demanded a severer punishment. This was the result of that inability to supply the places of the then occupiers of the situation, as implied in the earlier portion of my comment upon this head of my report.

The cases of "absence from duty," "irregularities," as "late attendance, &c., &c.," form an important item in this return.

Drunkenness, of which I regret to report five cases, received the severest punishment at our hands, that is to say, dismissal, or a heavy pecuniary fine.

"Sleeping upon their posts," a too frequent fault with night officers, is held by us a serious offence, inasmuch as vigilance in our associated wards is imperatively advisable, to prevent the commission of certain practices, which happily we have not yet known to occur.

The "felony" shown on the return is a rare offence. It eventuated in the perpetrator being immediately handed to the civil power, and the case was dealt with by the police magistrates.

Without entering further into the details of this return, I would conclude this subject by urgently soliciting application should be made to the home authorities, for a supply of English trained officers. With a staff much smaller than obtains at home prisons, (vide return, No. 3.)* and with a larger amount of temptation on the part of the prisoners, it is of high importance these officers should be well qualified and trustworthy men.

In relation to the number and disposal of prisoners during the half year, I have the honour to report that within this period we have had 1,180 prisoners upon the establishment (vide return, No. 1.)* By H. M. C. S. "Robert Small," which arrived August 19, 1853, and "Phoebe Dunbar," August 31, 1853, we received per assignment lists 605 Irish prisoners, short, however, eighteen men who died upon the voyage, (vide returns, No. 1. and 7.)* There were also received sixty ticket-of-leave holders during the same period, under magisterial re-conviction, for offences set forth in return No. 2.* One colonial prisoner was further received during the said period (vide return, No. 4.)*

There were discharged on tickets-of-leave 248 men, (vide return, No. 1.)* by death 13, that is to say, within the walls of the establishment (vide return, No. 7.)*

There were likewise received into the establishment hospital during the aforesaid period fifteen ticket-of-leave holders, invalids, on medical recommendation (vide Appendix A.). At the expiration of the half year there were two of this number still in hospital (vide return, No. 8.)*

The monthly declaration of strength, that is, the number of prisoners on the establishment, (as set forth on return No. 9.)* was as 515, 490, 670, 1,042, 1,039, 996, for the respective months of July, August, September, October, November, and December. It is presumed the very copious details given in the several returns enumerated, will supply every information upon this head, without further digest.

In relation to the manner in which the respective sentences have been carried out, I have the honour to report that the instructions of Her Majesty's Government, as respects the penal discipline of the men, have been rigidly complied with.

In the cases of ordinary English prisoners, of whom none have arrived during the half year under review, received upon further probation, the system enunciated and termed

* These Returns, owing to their voluminous nature, are not printed.

the combined probationary system, has under your direction been carried out. So far as geographical and social peculiarities would admit, the usages of our exemplar, Portland prison, have been generally followed; its code of laws being that which rules in this establishment. The principal features of this system, (as you are aware,) are certain progressive stages of penal discipline, relaxing in severity with the assumed moral improvement of the party under correction, until his eventual restoration to society.

In the cases of the said English prisoners, the scale of proportionate periods of probationary detention, ruling in English Government prisons, has been observed; granting, however, under his Excellency's sanction, certain remissions in the cases of the exemplary in conduct and industry.

In the instances of the Irish prisoners, received per the ships "Robert Small" and "Phoebe Dunbar," it was held by judicial and medical authority, that their prostrate condition, physically and morally,—the result, it was conjectured, of long imprisonment, low diet, and bad training, rendered it necessary that they should be subjected to a course of preparatory discipline, arbitrary in duration in some cases, but relative and proportionate to the term of sentence in others, prior to their being exposed to the trials of a strange climate and novel society, and certain compensating allowances in these arbitrary cases, were then discussed and decided upon. Such compensating allowances, however, were made dependant upon the relative good or bad conduct of the individual, thus contributing to the disciplinary machinery of our system of penal economy.

Irish prisoners.

The circumstances of the long servitude of many of these men were thought to offer a favourable opportunity for testing the feasibility of some intermediate stage of discipline between the comparative liberty of a ticket-of-leave and the rigorous seclusion and complete negation of self, of a probation prisoner. And in the attempt to solve this problem in penal science, we hoped to realize the idea for Colonel Jebb, Her Majesty's inspector of prisons in England, as indicated in his report of 1850, p. 42. As I shall have occasion to show in another part of my report, the experiment has been eminently successful; and it will become a question of consideration, whether the plan thus demonstrated to be practicable may not be made a permanent feature in our system of punitive discipline, and whether also, it would not be desirable further to develop the probationary principle in a re-organization and consolidation of the several penal establishments of this colony.

In point of detail, no material departure is made from the regulations obtaining at the chief establishment at Fremantle; the only modification being in the removal of prisoners, at a certain stage, from the strict surveillance of head quarters to an employment under a mild and salutary discipline, upon the public roads of the colony; due care being taken to carefully watch the men, and to preserve the moral principle on which we essay to conduct the business of this service.

Colonial prisoners.

In the cases of colonial prisoners received into the establishment under sentence of transportation, I have to report, that they are subjected to a primary course of separate confinement, averaging a year in duration; a subsequent course of industrial discipline upon the public works, proportioned to the term of sentence; and an eventual reference to his Excellency, under your recommendation, for tickets-of-leave, or permission to be at large. The system of discipline to which this class of prisoners are amenable, being identical with that ruling for other ordinary prisoners of the Crown.

Reconvicted prisoners, however, are primarily subjected to a course of penal discipline; in the so-called "separation ward;" wherein the silent system and the strictest rule is enforced. This discipline, which partakes more of the punitive and correctional character than our ordinary system, is applied for periods proportioned to the respective sentences of the parties. Subsequently they undergo a rigorous discipline in association with their fellows upon the works, but are not permitted any indulgences, as tobacco, gratuity, &c.; neither are they allowed communication with probation prisoners.

Reconvicted
prisoners.

While on this topic, I would observe that it could be desired this body of men should be more completely isolated from the rest of the prisoners. If it were practicable, and I think it is, I should like to see stations formed for the reception of these re-convicted men exclusively; and a more perfect insulation would tend to the reduction of prison-crime amongst them.

Reviewing the general system of penal discipline operating throughout the various ramifications of this establishment, I have the honour to observe, that as a principle we endeavour to bring every improvement in penal science to bear upon the grand object we have in view, viz.: the reclamation, if possible, of the prisoners under our own charge.

Those conversant with such matters, will well understand, that, to effect a radical reformation of principles with the great bulk of these classes of men, is a thing which cannot permanently be attained, however much it might be desired. It will be something, however, if we can train them into habits of order and industry; beyond which, I much doubt the probability of any general and decided change. I offer this remark after a long and extensive experience, and a close observation of criminals under every aspect and circumstance; and I do so, in order to guard against the supposition of a too sanguine view of our operations and progress.

It will be seen from a perusal of the foregoing details of disciplinary arrangements, that in some important respects there is a wide difference between the condition of

WESTERN
AUSTRALIA.

Portland prison and the convict establishment of Western Australia; inasmuch as in the former, there is but one description of prisoners, the unsatisfactory being immediately removed to other establishments; but in the latter there are several classes and characters of prisoners: probation, colonial, local-reconvicted, incorrigible, &c. &c., who all require different modes of treatment, which in imperfect, temporary buildings, demand an incessant exercise of care, to meet the ever changing and perplexing difficulties of their several cases. Still, in general features and spirit, we strive to maintain an uniformity of system, modified only in relative severity of application.

Classification.

The adoption of a modified system of classification, as communicated in my half-yearly report dated 10th July 1853,—in which system care is taken, that, while the beneficial tendencies of a task system are not lost sight of, its preferential workings as respects the athletic and the skilful, are properly guarded against, and a just and sensible consideration is given to the important question of moral improvement,—has now had a fair trial. Most certainly its operation has been beneficial and eminently successful. But at the same time we must not disguise from ourselves, that greater things might have been accomplished, had we been in a position to command a more efficient staff of officers. However, after eight, I may say ten months experience of its workings, we have not yet had a single instance of the men distinguished by it as “exemplary,” and who received the consequent remission, being returned upon the establishment under police re-conviction. And this, considering the imperfect machinery, as respects intelligent officers, upon whose reports classifications are in part allocated, is something to say: to my idea, not only does it testify to the consistent conduct of the men thus brought forward and encouraged in right courses, but it speaks volumes in favour of the general judiciousness with which such indulgences are awarded.

In general terms I would state, that it has stimulated to a very marked extent the industry of the men, and it has worked a salutary influence over their general conduct. It is not too much to hope, that the habits of close unremitting industry and continual watchfulness of conduct, thus inducted, may eventuate in fixed habitude of diligence and prudence.

Further than this, the fact that the proportion of men who have been upon the establishment, and of course subject to this system, and who are returned thereon, under magisterial reconviction for police offences; when compared with the number of those thus returned who arrived in the colony with tickets of leave, and who, in consequence, did not undergo this preparatory colonial training is as 1 to 2 $\frac{1}{2}$, showing a difference in favour of the former of, as nearly 3 to 1, thereby clearly establishing our system of colonial training to be sound in principle and salutary in effect.

In concluding this head of my report, I beg to repeat, in general terms, that while we employ a mild, but firm system of prison discipline, and neglect no practical reformatory agent, we yet hold out the most rigorous punitive restraints, and employ them to deter those who cannot be acted upon by other forces. Reclamation is the distinguishing principle of our system, but the penal requirements of the service, are not lost sight of, although made to subserve the former and more important end.

Treatment of
prisoners.

The treatment of the prisoners next claims my attention. This topic appears to be so inseparably connected with the preceding subject, that I feel it is scarcely necessary to make any addition to the statements therein advanced.

The establishment of a board of visiting justices, who attend monthly to inspect every department and hear appeals, supplies a tribunal to which officers and prisoners can apply for redress, under real or fancied grievance. Their reports, which are duly laid before you, exhibit no instances of dissatisfaction under this head.

The domestic arrangements, detailed “in extenso” in my report of July last, remain intact.

Some modifications have taken place in the scale of rations, applicable to the various classes of prisoners upon the establishment; but I have not yet had sufficient experience of its operation to pronounce positively upon its eligibility.

The most scrupulous care has been directed to the inculcation and maintenance of habits of cleanliness, regularity, and order.

On the subject of proper clothing, I cannot close this matter without directing particular attention to the very imperfect and ill adapted quality and description of articles supplied for this service. Probably it may be attributed to the limited supply the colony is qualified, at present, to offer; but certainly I have great cause to complain of the supplies furnished. I would further most respectfully suggest the desirableness of an uniformity of dress, which we have not yet been able to command; also, I would propose the adoption of a style of dress adapted to the exigencies of the climate and service; and thus remedy in a great measure a vast mass of the physical ailments with which the prisoners are afflicted. Although this may not be the happiest place to embody such suggestions, I will still beg permission to outline the kind of dress, which, in my humble judgment, appears to be the best adapted to the service. For summer, I would say, a brown unbleached hemp shirt or smock, with leathern belt, trousers of the same material, stout English regulation boots, and a broad straw or canvass covered hat. For winter, fustian or moleskin jacket and trousers, and japanned or oilskin hat. Flannels, I think, might be dispensed with, also waistcoats.

Some such regulated dress would protect the body from injury by the sun in summer and rains in winter, and in all probability, as before stated, preserve health.

With reference, however, to the medical aspect of this part of my subject, I must beg to refer you to the surgeon's report appended.

The moral and educational treatment of the prisoners, in a great measure falls more particularly within the province of the chaplain, whose report thereon I have the honour to append. But I would remark, that under the able and judicious care of the chaplain, the Rev. Mr. Brown, our schools have been organized upon a healthy basis, the library has been put into good methodical working order, the singing classes are progressing satisfactorily, and the general arrangements and duties pertaining to this branch of the service, exhibits a decided and gratifying improvement upon the condition of the half year ending 30th June 1853.

The accretion of so large a body of Roman Catholics (per "R. Small" and per "P. Dunbar,") rendered it necessary to retain the exclusive services of a clergyman of that church; and under his Excellency's authority, a second schoolmaster was also appointed to conduct the schools of Roman Catholic prisoners, whom it was thought desirable to keep as much apart from the Protestant prisoners as circumstances would admit. Recent events, which it will be my duty to treat upon in my July 1854 report, showed the policy of this decision.

The Roman Catholic chaplain thus appointed certainly commenced the performance of his duties with singular zeal; but a want of experience in the idiosyncrasy of these classes of men to some extent impaired the value of his services. Without commenting further upon this topic, I will take the liberty of adding that to deal with prisoners, so as to prevent disorder, the greatest prudence and tact is requisite. Visiting chaplains of the Roman Catholic profession were likewise appointed to the out-stations of the establishment, and hitherto their ministrations have been characterized by good sense and discretion. The chaplain, Mr. Brown, ministers to the several stations at Clarence, North Fremantle, and Fresh Water Bay; and it would be an act of injustice not to notice the judgment and efficiency of his laborious duties thereat.

Upon the subject of the species of labour upon which the prisoners are employed, I feel that I cannot do better than direct your attention to return (No. 5*), which sets forth, in detail,—trades; works upon which employed; aggregate thereof; amount of task work required per man per diem; relative excess or deficit of such task; money value of work performed, at the minimum colonial price of labour, &c. &c.

These returns show, that the aggregate money value of the labour bestowed by this department upon the public services of the colony amounted to 18,923*l* 6*s*. 2*d*. sterling. Although a review of such matters falls under colonial usage within the duties of the engineer's office, I would briefly remark that, according to the showing of this return, the work performed by the prisoners has not only been extensive in amount, but of great public utility. And I am happy to add, that their general conduct, while employed on these most diversified works, has been in a vast majority of instances, exemplary to a degree.

The number of hours labour constituting a day's work, is regulated at nine hours, exclusive of meal times. In considering this allocation of periods of labour, it must be recollected that during no inconsiderable portion of the year, the heat is tropical. The daily average of men available for labour during the half-year was as 756; the daily average of sick as thirty-six. It is possible that had the last two ships "Robert Small" and "Phoebe Dunbar" been with English prisoners, the proportion of effectives would have been greater.

In relation to the state and condition of buildings, &c., the repairs or alterations which have been made, any abuses which may have been observed, or received intimation respecting, and so forth, which I am required to report upon; I have only to say that the several structures tenanted by the convict establishment, being of a temporary character, and simply occupied pending the erection of a permanent prison with proper equipments, do not admit of many disciplinary arrangements which might be desirable; and which would obtain under other circumstances. I may instance, for example, the separation of prisoners at night, which is certainly to be desired, but still upon the whole there is nothing to take special exception to.

I have the honour to forward a return (No. 13.),* exhibiting the accommodation in our temporary buildings at Fremantle; and at the permanent and removable erections, forming the several branches. An attempt is also made to show the departmental arrangements for the proper classification of the several grades of prisoners.

In all the wards the requirements of the various Acts of Parliament affecting prison discipline are inflexibly observed.

Every practicable measure is adopted to prevent the possibility of indecencies during sleeping hours. Speaking in general terms, I must pronounce the buildings, &c. &c. in a satisfactory condition; that is to say, considering their temporary character. Still it must be confessed, that the sooner the new prison, which is rapidly progressing, is brought to completion the more advantageous will it be for the general interests of this service.

In connexion with this subject, I have the honour to forward a return (No 14),* showing the number of vacancies upon the establishment on the 31st December 1853, which number will be rapidly augmented during the early part of the year 1854.

WESTERN
AUSTRALIA.

Surgeon's report.

Chaplain's report.

Species of labour,
&c.

Number of hours,
&c.

State and con-
dition of buildings

Accommodation.

Vacancies.

* These Returns, owing to their voluminous nature, are not printed.

WESTERN
AUSTRALIA.

Escapes.

On the subject of "Escapes" or attempts thereat, I have the honour to report that during the half-year we have been annoyed by four silly attempts of the kind; the runaways being recaptured after a few hours absence.

The idea of effecting an escape from a colony, whose situation is surrounded by some hundreds of miles of unexplored territory without food or water; so far as yet known, is so absurd and hopeless a project, that no reasonable being, even amongst prisoners, would essay the attempt. An occasional fractious or stupid individual amongst our number will contrive to make a run from the officer in charge; and by hiding in some stray corner, endeavour to elude the pursuits of the constabulary; but the impossibility of obtaining food in the bush, and of evading detection in the towns, or of maintaining a stand under any circumstances in this almost peopleless wilderness, acts as a perpetual check upon much of this variety of prison crime, although the present prison buildings are very rudely and imperfectly protected against such liabilities.

The return No. 9* will set forth the number of these attempts, with the punishments awarded thereon. It will be seen, that with the view of deterring the licentious, very severe measures were employed.

The first of these tiresome cases occurred in the month of July, when one of the re-convicted party, a man of incorrigibly vicious propensities, made an escape, but was recaptured the ensuing day. The cause appears to have been mere licentiousness.

The second instance was by four reconvicted men, who in the month of September, ran from their officer while upon the works. It would appear that they had no specific object in making the attempt, excepting perhaps the ordinary thing, viz., a desire to attract attention to a fancied grievance, and it may be, some of that morbid ambition, occasionally found among this class of mankind, to appear heroes among their fellows, that is to say, amongst a certain few whom rational agencies will not lead, nor coercive measures tame.

The third instance was that of a silly lad who in October absconded during the darkness of a moonless night, apparently obeying no other impulse than pure wantonness. He was speedily recaptured.

The fourth instance occurred in November, when four of the re-convicted party escaped from their keepers whilst on the sea beach bathing. They were recaptured the following day, with one exception; these men were about the most depraved upon the establishment, and it is to be deplored there are no ultra penal establishments, assimilating to that at Norfolk Island, for the reception of these irreclaimables. There was no assignable cause for this attempt, other than an opposition to authority, and perhaps an unmitigated love of license.

These attempts are principally among the reconvicted party, which contains the scum of the convict body. The ten men above reported as complicated in these four attempts, were comprised of nine reconvicted men and one probation prisoner, a silly half-witted Irish boy.

General state of
prisoners, &c. &c.

Upon the head of "general state of the prisoners, as to morals, discipline, employment, proficiency in trades, and observances of the rules," I have the honour to report that it is my conscientious belief, the tone of morals pervading the general mass of prisoners confined within the walls of the several establishments is upon the whole fully equal to that obtaining among the ordinary labouring classes of the community; most certainly it is not inferior, and so far as general intelligence, energy, and conduct is concerned, it is decidedly superior.

Compared with the ordinary population of the English correctional prisons, it is unquestionably high; this is easily understood by persons at all experienced in such matters, and the generally superior conduct of these men speaks eloquently of the successful workings of the present probation system. Of course there are, and will be, a certain per-centage of incorrigibles, failures in our plans of reclamation; but most assuredly, taking every circumstance into consideration, such as the nature of their early associations, defective and vicious education, the malignant influences of social position, connexion, and the thousand and one predisposing causes to crime—I say, taking all these things into consideration, and further, recollecting the many disabilities affecting and operating upon these unfortunate classes of men, I cannot but pronounce the conduct, I may say the condition of the prisoners of the Crown, as decidedly exemplary, taking, as will be understood, a comparative or relative view of the question in issue.

Offences and
punishments.

Returns No. 8* and 9* will supply statistical information upon this topic. The majority of offences hereon shown were of a very trivial character. Return No. 9,* is a tabulation of these offences, to afford data relative to the description of prisoners among whom the said offences were distributed. It will be seen that the English prisoners maintained an exemplary course of conduct, the per-centage of crime amongst them being singularly small. The Irish prisoners, per "Robert Small" and "Phoebe Dunbar," exhibit a per-centage of prison crime, during the period of their detention within the establishment, far in excess of the average proportion of their English fellows. The reconvicted men, although showing a large excess over the averages of probation prisoners, (which is to be expected from the fact of these men being usually the worst of their class,) do yet, compared with the preceding half year, display a marked improvement.

* These Returns, owing to their voluminous nature, are not printed.

In checking irregularities, as previously observed, the operation of the present classification system has been most salutary; but it may be remarked as a noticeable feature in the idiosyncrasy of the Irish prisoners, that is to say, those who arrived direct from Ireland, and who had not undergone the present discipline held applicable to convicts sentenced in England, that there appears a singular inaptitude to comprehend the nature of moral agencies, or to be affected by them; neither do they seem to understand the desirableness, we will say, of self-reliance, or the necessity for the exercise of habits of propriety, industry, and prudence, as a means towards extricating themselves from the consequences of former errors. With them, whether it be the result of bad management or not I am hardly prepared to say, but coercion appears to be the only force they are capable of appreciating; consequently to some extent, our system has been found inoperative with them.

Without enlarging this report by a minute analysis of the data shown upon the return under review, I would simply observe that the offences of "irreverence at prayers," "absence from prayers," "idleness upon the works," "insolence," &c., were exclusively committed by the "Robert Small" and "Phoebe Dunbar" men.

The "destruction of prison property," &c., was usually by reconvicted men. "Drunkenness"—a novelty in English prisons, is scarcely preventible at the out-stations, where a considerable degree of liberty is unavoidably, and perhaps judiciously permitted. Considering the opportunities existent, the infrequency of such cases is highly creditable to the good disposition of the men.

On the subject of discipline, I have already reported that the instructions conveyed in the Portland code, have been faithfully observed. In those cases where a modification of detail was shown desirable, it was duly reported to you. In no instance, however, has the spirit of the said instructions been departed from.

That this system is effectual in restraining the licentious, in inculcating habits of industry and self-reliance, is manifest in the progressive improvement of all ships of men subjected to its influence.

The statistics of the establishment show a gradually decreasing number of reports from the period of their respective arrivals—hence an improvement: and this result, close observation has demonstrated to be a well defined and general law. Besides this, the relative conduct of our establishment-trained men, displays a most marked improvement—as shown in an earlier portion of this report—over their brethren who arrived with tickets of leave.

Even with the general body of reconvicted men, the majority of offences which led to their return upon the establishment are of a merely disciplinary character. And the percentage of men so returned, is not greater than four per centum upon the number at large.

Considering these facts, and after a searching analysis of the causes and bearings of every case of reconviction in this colony, I would strongly suggest the policy of requiring every prisoner brought here to undergo a course of colonial training in the establishment, feeling assured that it would be advantageous to the individuals themselves, and beneficial to the community at large.

On the head of employment, I have the honour to refer you to returns No. 5* and 6.* In relative proficiency in trades, I would remark that insomuch as the instruction in certain processes of manual labour, is held to belong more particularly to the course of industrial training pertaining to, and obtaining at the separate confinement, or primary stage prisons. On public works no particular direction can be given to the instruction of the men in handicrafts, but what the works themselves afford. In some respects, however, we essay to supply certain teachings in those branches of simple labour, which are of most request in the colony; and we make such teaching matters of reward for exemplary good. For instance, sawyer's work is in great demand throughout the colony, and it is moreover very liberally remunerated.

To be permitted to work in the sawyer's party—where some practical knowledge is gained of this variety of labour—is only obtainable after a period of exemplary behaviour. It is thus, with some other branches of employment upon which the men are engaged, and the assumed privileges of such employments are much sought after and appreciated.

Having already treated upon the question of observance of rules, I will add nothing in this place beyond the general remark that, upon the whole, it has been satisfactory.

Having thus treated upon the several heads enumerated in the thirty-eighth clause, I would request permission with the view of supplying the fullest information relative to our transactions during the past half year, to take a rapid review of our progress during that period; noticing the several improvements we have endeavoured to make in our penal system, tracing the causes, and recording the effect,

From the first of July until the latter end of August, the only classes of prisoners then upon the establishment were those who primarily arrived from the English government prisons, wherein they had undergone a well digested and uniform course of preparatory training. Since their reception here, we had endeavoured to carry forward the work, adding and superadding such modifications as experience taught us as having a tendency to improvement. The classification system, so fully detailed in former papers, was one of these modifications.

* These Returns, owing to their voluminous nature, are not printed.

Its effect, as previously reported, has been most successful. Although labouring under the want of able agents, it largely stimulated the labour of the men, and reduced the per centage of prison crime. Return No. 10,* shows that it—prison crime—became nearly nominal; viz., but three cases in August and six in September, among upwards of 500 probation prisoners. We may therefore fairly assume its tendency is to generate habits of calculation, prudence, and reflection, the very antitheticals of crime. These, recollecting the per-centage of prison crime, ruling in the best reported prisons in England, the imperfect instruments with which the subordinate administration of discipline is entrusted, the temptations to irregularities inseparable from location, the character of the men themselves morally considered, and the many disadvantages under which we labour in the shape of imperfect, inconvenient, temporary buildings, is a result in the highest degree gratifying.

The lectures, the institution of which was reported in July last, progressed satisfactorily; supplying healthy means of profitable employment and excitement (a great thing in a prison, where the mind is apt to brood and prey upon itself) and proving instruments, humble perhaps, in disciplining the intellects of the men in right directions.

The arrival of the "Robert Small," and rapidly afterwards the "Phœbe Dunbar," demanded serious and cautious deliberation.

As previously reported in an early part of this document, such was the physical and moral prostration of these unhappy exiles (vide surgeon's report) that it was felt it would be injudicious to expose them to the difficulties of a novel and trying position, which they, in their then condition, were ill qualified to maintain.

The reception of 600 men, who appeared lost to every impulse of independent thought or action, who were reduced to the condition of mere machines, who were debilitated by protracted imprisonment—diseased to an alarming extent—indolent to a degree by long habit, and noticeably ill trained, was a task under our circumstances of some gravity. A careful examination of the assignment sheets in connexion with the preceding considerations, led to the adoption of a certain differential scale of periods of further probationary detention, in the instances of these men, bearing some relevance to the terms of actual servitude.

The establishment of branches of this dépôt was resolved upon, and having had the honour of receiving your directions to enter upon the disciplinary governance of the whole, attention was directed to the desirableness of essaying a realization of the idea of Colonel Jebb, as previously referred to. Drafts of men, who had served the longest period, were then forwarded to the branches thus created, and a firm, yet mild system of discipline, conformable in spirit and in most of the details with that ruling at head quarters, with a larger amount of liberty, was instituted for their government. To officer efficiently these several branches, according to the authorized proportion, then became a subject for consideration: it was found a task of some difficulty. After mature reflection it was decided to place each station in charge of a well disciplined, discreet, and experienced officer; and, by the adoption of a system of employing prisoners, to aid in the governance of the men, under well digested rules, it was hoped to convert that which was primarily a source of difficulty, into an opportunity for initiating a new, important and efficient adjunct to our scheme of reformatory discipline. We accordingly selected a certain regulated proportion of well trained and tried first class men, to essay this experiment. The pernicious operation of the ganging and sub-overseer system of the southern colonies was carefully considered, and, in framing the rules for the guidance of these selected men, henceforth to be called "constables," every contingency was minutely weighed and covenanted for.

I do myself the honour to append a copy of these regulations, wherein it will be seen that the reformatory demands of our system have been studiously consulted, and that, not only in principle but in detail, the plan is completely opposite to the so much reprobated system of Van Diemen's Land. I will not extend this report by an analysis of the contingencies we endeavoured to provide for, and controul; suffice it to say, that all which experience could suggest was digested and employed.

It will, however, be observed that the tendency of this plan is to maintain discipline and order, induce labour, and raise the moral tone of every prisoner.

I feel the highest gratification in now having to record the signal success of the experiment. At North Fremantle branch, with 120 prisoners, in an open prison or barracks, no walls, the men working upon roads, something like two or three miles distant from the dépôt, and with but two warders in charge, order has been maintained by this system in the highest degree exemplary. The number of offences by the prisoners at this branch has been curiously small. Their industry upon the roads has been most marked. Not a single case has had to be brought before the visiting magistrate to the stations, Captain Bruce. And perhaps not the least remarkable feature in the successful working of the project, is the harmony subsisting between the prisoner-constables, and the men themselves; and this is certainly not the result of collusion or of improper combination. Nor is this success confined to the branch in question. At all the other stations the result is precisely similar. Indeed, so decided was this success, that it was proposed and sanctioned, that the constable system should be brought into the establishment itself, where

* This Return, owing to its voluminous nature, is not printed.

Establishment of
branches.

Constable system.

a more stringent system obtains, thus subjecting it to a severer test. They, the prisoner-constables, are now employed under every form of prison duty; they accompanying the men upon the works, keeping guard, assist in the night watch, act as orderlies and messengers, &c.; and out of ninety prisoners who have been thus employed, but three instances of misconduct during the four months of the experiment have occurred, and with these three instances of misconduct there were extenuating circumstances.

I feel that it would be impossible to speak in terms sufficiently high of the conduct of these poor men, and of the eminent success of the experiment. The problem of the employment of prisoners in the governance of their own class, and with due regard to the reformatory requirements of the system has been most satisfactorily solved. It is another illustration of the wisdom of that policy which, alike eschewing all approaches to a spurious sympathy with crime, or to a mere coercion as a means for repression, essays to control it, and criminal tendencies generally by the employment of sound, judicious, practical reformatory agencies.

In conclusion, I would most respectfully request your conveying to his Excellency the Governor my humble and grateful acknowledgements for the condescension with which he has been pleased at all times to listen to any suggestion for promoting the good of the service, for his powerful countenance and support, and for the general interest he has taken in everything likely to contribute to the important objects we have in hand.

To yourself I beg to tender my warmest thanks for the uniform support you have ever rendered me, in the various matters I have had occasion to submit for your consideration.

I would further beg to record my obligations to the visiting magistrate, Thomas Brown, Esq., whose attention and patience at all times commands my highest consideration.

To the deputy superintendent, George Clifton, Esq., my acknowledgements are due for the zeal with which he has assisted me in the conduction of the business of the establishment.

The Rev. James Brown, M.A., chaplain of the establishment, has likewise assisted me in a most distinguished manner, and it is an act of great pleasure to here record his valuable services.

To the surgeon also, Dr. Rennie, O.M.D., my thanks are due for his generally laborious and skilful performance of the duties of his office.

I have, &c.,

(Signed) THOMAS H. DIXON, Superintendent.

The Hon. the Comptroller-General,
&c. &c. &c.

MEMORANDUM, showing Ticket-of-leave Holders received into the Establishment Hospital during the half-year ending December 31, 1853.

Appendix "A."

Reg.	Name.	Date of Receipt.	Remarks.
60	Jno. Wilson - -	Aug. 14, 1853	Died Aug. 24, 1853.
,840	Geo. Pringle - -	Aug. 24, 1853	Died Aug. 24, 1853.
17	Geo. Postins - -	Aug. 30, 1853	Discharged Sept. 6, 1853.
1,816	Jas. Manning - -	Sept. 8, 1853	Discharged Sept. 15, 1853.
1,037	P. Hendry - -	Oct. 17, 1853	Discharged Oct. 22, 1853.
182	Jno. Foley - - -	Nov. 6, 1853	Discharged Dec. 19, 1853.
1,761	J. Phillips - - -	Nov. 14, 1853	Discharged Nov. 24, 1853.
669	J. Phillips - - -	Dec. 1, 1853	Discharged Dec. 6, 1853.
1,286	Jno. Douglas - -	Dec. 23, 1853	Discharged Dec. 29, 1853.
1,895	J. Wilson - - -	Dec. 29, 1853	
1,732	T. Smith - - -	Dec. 29, 1853	
1,999	E. Smith - - -	Previously reported.	Died July 5, 1853.
888	E. Badcock - - -		Discharged July 12, 1853.
20	M. Porteous - - -		Discharged Aug. 4, 1853.
15	J. Sweeny - - -		Died Oct. 24, 1853.

THOMAS H. DIXON, Superintendent.

MEMORANDUM, showing LECTURES delivered by PRISONERS within the Chief Establishment during the half-year ending 31st December 1853.

Appendix "B."

Physical Geography	-	-	-	-	by T. M., Reg. 1275.
Mathematical Do.	-	-	-	-	do. do.
Political Do.	-	-	-	-	do. do.
Chemistry as applied to the industrial arts	-	-	-	-	I. S., Reg. 1335.
Character, and its value in society	-	-	-	-	C. W., Reg. 1364.
Elementary Education, three lectures	-	-	-	-	R. B., Reg. 1558.
Astronomy, two lectures	-	-	-	-	T. M., Reg. 1275.
Liberty, its nature and duties	-	-	-	-	J. C., Reg. 1383.

READINGS from approved authors by several of the Prisoners.

Poetry	-	-	-	-	-	by W. O., Reg. 1010.
Elocution	-	-	-	-	-	R. B., Reg. 1558.

THOMAS H. DIXON,
Superintendent.

Appendix "C."

REGULATIONS respecting Constables at Branches.

1. There will be a certain proportionate number of constables selected by the superintendent from the general body of probation prisoners, and appointment to such offices shall be regarded as marks of distinguishing approbation.

2. The proportion of constables to prisoners at the several branches shall be as one to nine or ten per cent.

3. No probation prisoner shall be appointed to this office until he has served six months on the "Ex" class: the senior assistant superintendent will therefore only recommend men with this qualification.

4. No probation prisoner shall be appointed to this office without the special authority of the superintendent.

5. Any probation prisoner appointed to this office will receive double time off the regulated period of discipline, but instances of misconduct will forfeit not alone this remission, but also the grade and its privileges, with probable further prolongation of service.

6. The duties of these constables shall be, to assist the regular discipline, and instructing warders in the performance of their several details of duty; and, as the appointment is contemplated as an advanced probationary list in situations of trust under the eyes of Government preparatory to the wide pendant action of a ticket of leave, it is desirable they should be generally employed in every department of the business of the branch. They will overlook the prisoners of their respective parties, subject, however, to the direction and control of the regular officer, instructing them in their tasks, and controlling every tendency to irregularity. They will assist in the night as well as in the day duty, and in every practicable way will be applied to discipline and good order of the branch. As a general principle, however, no constable shall be empowered to act upon his own responsibility.

7. They are enjoined to exhibit an example of cheerful obedience, propriety of demeanour, cleanliness, and good order, to their fellow prisoners, using respectful language in conveying instructions, and carefully avoiding harshness or domineering assumption, either in manner or language, in all intercourse with them. Any infraction of this law will be visited with summary punishment.

8. They will muster at every parade, cleanly, neatly, and properly dressed, and will be inspected by the senior assistant superintendent, and dismissed to their respective duties. Those who have been on night duty the preceding evening will be excused attendance until third parade.

9. They will be allotted separate bays, in each ward, to mess together; one bay at the door-way, and another at the extreme end of the ward; and it is expected that such bays will be examples of good order for the imitation of the general body of their fellow prisoners.

10. They shall be judiciously supported in an exemplary discharge of the trust reposed in them: any disrespect or disobedience of the orders proceeding through them to the prisoners will be visited with severe punishment: annoyance, molestation, or contempt to be immediately communicated to the officer in charge, who will report it to the senior assistant superintendent.

11 Assistant superintendents, overseers, assistant overseers, and instructing warders are enjoined to assist the authorities in carrying out this development of the probation system, on pain of the serious displeasure of the Honourable the Comptroller General.

THOMAS H. DIXON,
Superintendent.

SURGEON'S REPORT.

SIR,

Fremantle, Western Australia, February 1, 1854.

WESTERN
AUSTRALIA.

I HAVE the honour to forward you my report for the half-year terminating December 31, 1853.

From the accompanying statistical tables* you will perceive that the number of sick much exceeds that of the previous six months; but, on the whole, the general health of the prisoners is good, the prevailing sickness having been of an exceedingly mild character.

During July there was no peculiarity in the sickness worth noticing. During August a mild form of intermittent fever appeared, and continued until the beginning of September, when febricula (mild fever), accompanied by bronchitis, was very prevalent. During October, febricula, bronchitis, and neuralgia were the most common diseases until towards the termination of the month, when diarrhoea appeared. In November a peculiar form of bronchitis, distinctly intermittent in its character, became very common. Towards the end of the month it disappeared, and was succeeded by diarrhoea, also of an intermittent nature, which continued until the end of December, when ophthalmia became the prevailing disease.

The increased numbers of sick are easily accounted for, when we take into consideration the unusual number of prisoners during the past six months, as well as the peculiar circumstances under which the majority of those who arrived in the "Robert Small" and "Phoebe Dunbar" convict ships were received into the establishment. On the arrival of the "Robert Small" in August last, from Spike Island, twenty-two men were admitted into hospital direct from the vessel, and the average daily number of out sick became about thirty-five; the men having landed in very bad health, the result of sickness which had appeared in an epidemic form during the voyage.

As you are already aware, intermittent fever broke out shortly after the vessel entered the tropics, the origin of which was traced to effluvia disengaged from the ballast, which on examination was found composed of sand and mud taken in a few months before at Rotterdam. This ballast ultimately choked the pumps, and the stench from it became so intolerable as to render it necessary to put into Rio de Janeiro, where 150 tons of it were removed by orders of the senior naval officer.

In my opinion, the prisoners were exposed to the predisposing and exciting causes of disease in no ordinary way. The predisposition to disease may be said to have commenced immediately after embarkation, as there can be little doubt that the sudden change to a ship diet from the simple, nutritious, and antiscorbutic one at Spike Island, consisting of sweet milk, white bread, and oatmeal, with fresh meat and vegetables *once* a week, must have acted as a powerful predisposing cause of disease, and which unquestionably would have excited scurvy to a serious extent, as in the case of the "Phoebe Dunbar," had the men been exposed to the cause for the same length of time; as I have no doubt this disease was averted by the detention of the vessel at Rio. But even the change of diet there was not sufficient to prevent scorbutic symptoms appearing in a mild form; for, on my examining the men on disembarkation, I found almost the whole of them, more or less, affected with the premonitory signs of the disease, consequently rendering them peculiarly susceptible of the other causes of disease, especially the malaria, which existed on board. The pensioner guard also suffered severely, and four of them died from disease contracted in the vessel.

I have no hesitation in attributing the fever to the noxious exhalations from the ballast, as I satisfied myself of its malarious properties by examining what remained in the after hold, the smell of which was most offensive. A specimen of the ballast in its original state was shown to me, it consisted of fine sand mixed with a considerable portion of clay; and it requires no great stretch of imagination to suppose that ballast composed of soil identical with that of Walcheren should, when saturated with moisture and exposed to a tropical temperature, disengage effluvia calculated to excite disease amongst those more or less constantly exposed to its influence.

The "Phoebe Dunbar" arrived a few days after the "Robert Small," and the large number of invalids (nearly one hundred) which landed from her tended greatly to increase the sick returns of the chief establishment. Scurvy prevailed to an alarming extent during the voyage, and upwards of twelve fatal cases occurred. I believe the prevalence of the disease to have been owing to the condition of the prisoners having been such previous to embarkation as to unfit them for a long sea voyage, without a change from ship diet.

The diet at Mountjoy Prison, Dublin, from which the men came, is similar to that of Spike Island. They were sent on board without any dietetic preparation, probably labouring under great mental depression from long confinement and the silent system pursued in that prison; and I have no doubt that the severity of the disease would have been very much modified had the vessel touched at one of the intermediate ports, where fruit, vegetables, and other anti-scorbutic remedies could have been procured.

The prisoners from both ships on their arrival presented a state of torpor, both mental and physical, which must be looked upon as a natural result of the long system of confinement pursued in the Irish prisons. As an illustration of the success of the course adopted here, I may mention that the 120 men from the "Robert Small" who were sent to North Fremantle were the most unhealthy I had under my charge, morally as well as physically; and I was astonished at the rapid change which took place in their state

* These tables, being extremely voluminous, are not printed. A general statement of cases will be found at p. 182.

generally. The improvement was most marked, and I consider it is to be attributed most materially to their improved mental condition—the result of change from physical to moral control, combined with a healthy occupation, and an ample, nutritious, and regular diet.

The same remarks are applicable to the 80 men who were sent to Freshwater Bay from the “Phœbe Dunbar.” Their condition was similar to those at North Fremantle, and the improvement was equally rapid, and has likewise been permanent in its results.

The new Perth road is a proof of the amount of work the two parties have done; and during my professional visits to the two stations I have been particular in inquiring into their moral condition, and the superintending officers have constantly borne testimony to their general good conduct, and to the interest they take in, and anxiety they display to progress with their employment.

Not having charge of the Guildford station I am unable to make any report of the men; but, from the few cases of sickness which have been sent to the chief establishment, I have no doubt that their general health has benefited in a like degree. The ophthalmia which has been so prevalent amongst them is an affection which would have attacked any body of men, its cause being principally mechanical.

The prevailing disease amongst the prisoners in the chief establishment has been a mild and irregular form of fever, popularly known as the “influenza.” The disease, as it prevails in this part of the country, varies slightly in different localities, and, from whatever source it originates, the atmosphere is the vehicle by which it is conveyed into the system. From the symptoms characterizing it, the disease is most allied to intermittent fever, though it cannot be said to assume any definite type—that in one locality presenting features different from that in another; it also displays its effects in different ways in different individuals according to their constitutional predisposition.

I have carefully observed the disease, but in the formation of my statistic tables I have avoided the term “influenza” altogether, classifying the different cases under those forms of sickness to which I considered them most allied.

After watching with great care the different phases of the disease in several hundred cases, I have come to the following conclusions:

1st. That the “influenza” is a fever depending on malaria—by this term meaning the presence in the atmosphere of matter foreign to its natural composition, but without reference to its origin, for I believe the sources of malaria here are twofold—that there is a malarious poison, the result of vegetable decomposition, analogous to the marsh miasmas, and one the result of chemical changes in mineral matter. I consider the malaria of Fremantle to be principally of mineral origin, for I have carefully noted the proportion of sick, as well as the characteristics of the disease, occurring amongst the men employed in the quarrying operations at the new prison, and found that almost every case commenced with well marked symptoms of intermittent fever, but seldom extending over more than three attacks for the time; and that those who have suffered once almost invariably have a recurrence of the disease at irregular intervals but seldom again displaying itself in its original form, nature generally adopting a different termination than that by cutaneous perspiration.

2nd. That the type, though most allied to intermittent and remittent fever, varies considerably, sometimes being a mere indistinct feeling of feverishness accompanied by a speedy return to health, sometimes an acute febrile paroxysm presenting the usual symptoms of an attack of ague but without any immediate tendency to return; at other times the disease assumes the characteristics of quotidian, tertian, and quartan agues; at other times it may be seen in the form of remittent and occasionally of continued fever—the variety of type most probably depending on individual susceptibility combined with peculiarities in the exciting cause.

The peculiarity of the fever consists in the remarkable tendency to affections either of the respiratory, the digestive, or the nervous systems. In the intermittent form, the alimentary canal is most prone to sympathise; in the remittent, the lining membrane of the air tubes. The affection of the nervous system displays itself in the form of neuralgia, and is of frequent occurrence in both forms of the disease.

My treatment has consisted almost entirely of antipemolic remedies, such as cinchona, arsenic, and calomel, which I have been obliged to use from the total want of quinine, not having had a grain in the hospital since I became surgeon. I have also tried a solution of the red gum of this colony in large doses, as a substitute for quinine, and have every reason to be satisfied with it, as the patients take it more readily than the powdered cinchona bark, it not having that tendency to cause nausea which large doses of the cinchona have.

Thirteen fatal cases occurred, eleven of which were of very low standing and I knew but little of their previous history, the majority of them having been in a hopeless state at the time of their coming under my care. I will make a few observations on each of the cases in the order they appear in my statistical tables.

1st. Under the head of “fever” there is one death from typhus. The man was landed in a dying state from the “Phœbe Dunbar,” and died shortly after admission into hospital.

2nd. Under “diseases of the nervous system” there are two deaths which, in my opinion, ought to come under the head of fever, the brain diseases having occurred as compli-

cations, but, from the violence of the local symptoms, unquestionably the cause of death in both cases. I have included them under diseases of the nervous system.

The case of dropsy of the brain, was that of a lad named Murray. He arrived in the "Phoebe Dunbar" in very bad health, resulting from fever and scurvy, from which he had suffered on the voyage. He continued in hospital from the period of his arrival up to within a short time of his death; having been sent out to try the effects of change of air, as he suffered severely from remittent fever in hospital. As his case presents several peculiarities, I shall enter into it in detail.

On the evening of the 8th December he suddenly became insensible, while taking his tea. He was brought up to hospital almost insensible, his mouth full of bread which he seemed unable either to swallow or spit out. After he had been in hospital a short time he appeared a little more sensible. His head was shaved, blistered, and diaphoretic remedies ordered.

On the morning of the 9th December, he was in much the same state mentally, but had a decided tendency to fever; having had an imperfect shivering fit followed by increased heat of skin. As the insensibility was if anything increasing, and as I attributed it to effusion of serum from the vessels of the brain occurring at a critical termination of the remittent febrile attacks, I ordered the wet sheet to be applied to him with the view of producing copious perspiration, the ordinary remedies having failed to do so. On visiting him a few hours afterwards he was perspiring freely, his general aspect was much improved, and he was partially sensible, making an effort to protrude his tongue on being asked to do so. The wet sheet was then discontinued and perspiration kept up by calomel, antimony, and ipecacuanha.

On the 10th December his intellect seemed a little clearer than formerly. Perspiration was kept up by the remedies ordered the day before, and in the evening there was considerable improvement.

On the morning of the 11th December, he was seized with a shivering fit followed by fever, after which he became violently convulsed, having to be retained in bed by force. He gradually merged into a state of insensibility, and on my seeing him at 8 a. m. he was in a state of profound coma; he was again put into the wet sheet, the sudorific powders having lost their effect on the skin, and at noon, he was again perspiring freely, there was a decided change for the better, and he seemed aware of what was passing round him. At 4 p. m. he was seized with another violent convulsion followed by perfect insensibility, so much so that the attendants thought he was dead, and closed his eyes. Shortly afterwards he began to breathe imperfectly, and continued so for about an hour, when he died.

On *post mortem* examination large quantities of fluid were found both in the ventricles of the brain and within the membranes of the spinal cord, verifying the views I formed of the case from the first—that the insensibility arose from the vessels of the brain and spinal cord having undertaken the functions which in the early stage of the disease were performed by the skin. I have no doubt that the sweating process had been going on within the nervous system for several days previous to his admission into hospital, as a certain peculiarity had been noticed about him by the warders for a short time previously.

The great advantage which the wet sheet offers in the treatment of such cases of fever where the brain becomes suddenly affected, is the rapidity and certainty of its action—being in my opinion the most valuable means we possess of producing perspiration, as the remedies generally used for the purpose are combinations containing opium, the administration of which is decidedly contra-indicated in any disease characterized by a tendency to insensibility, as all severe forms of fever are. By the wet sheet we are thus enabled in a very short time to produce a drain on the watery portions of the blood without affecting the real particles, the presence of which in sufficient quantity are indispensable for the recovery of the patient. Fevers are essentially diseases of debility, and though they are almost invariably benefited by moderate depletion, so far as it is confined to stimulating the natural emunctories of the body (the skin, urinary apparatus, and bowels), still they do not bear such active means as the extraction of blood, as it is always effected at the expense of the red globules, the true supporters of animal life, in place of at the expense of its serum or water, in which the disease exists; consequently such a powerful means of exciting perspiration as the wet sheet invariably proves must be a remedy of the greatest value in the treatment of fever characterized by tendency to local disease.

The case of congestion of the brain was admitted in an acute state of fever, determination of blood set in to the head, the vessels of the brain became congested, and life was extinguished almost before treatment could be brought to bear upon the case. I made a *post mortem* examination, and never recollect seeing before such general congestion of the vessels, both internally and externally.

This case I consider the only acute one of the thirteen, having been the only one that I saw the commencement of.

Under "diseases of the organs of respiration" there are five fatal cases. The two, from suppuration of the lungs, were both admitted in a hopeless state from the "Phoebe Dunbar."

The case of mortification of the lungs was that of a ticket of leave holder, named Pringle. He had been under the treatment of a medical practitioner in the neighbour-

hood, who finding him rapidly sinking sent him to the establishment hospital, where he died *twenty-five minutes* after admission. On *post mortem* examination his lungs were in a state of chronic inflammation, which at one part had become gangrenous. Properly speaking, this case ought not to appear in the statistical tables, as it can hardly be called a case of sickness occurring in connexion with the chief establishment; however, as the man died in hospital, I have included it. The case of consumption was admitted from the "Robert Small," and died about fourteen days afterwards.

The case of apoplexy of the lung was that of a man named Carlton, who had been a long time under treatment in hospital for a variety of symptoms. He was suddenly seized with acute chest disease which resisted every species of treatment and carried him off in a few days. On *post mortem* examination the lungs presented symptoms resembling pulmonary apoplexy, and also of the state lately described by German authors as "acute tuberculosis," the apoplectic spots being studded with what are called milliary tubercles (minute particles of scrofulous matter). The term apoplexy of the lung is hardly a correct one, and I use it as the most intelligible one applicable to the case.

Under "diseases of the organs of digestion" are two deaths from chronic dysentery. The first, that of a man of the name of Smith. He was in a dying state when I took him over from Mr. Elliot. He had been in the hospital from the time of his arrival in the colony, and, from what I could make out of his previous history, the disease seemed to have been contracted at Dartmoor Prison. In addition to the chronic disease of the bowels he had a large abscess in the neighbourhood of the rectum, the exhausting discharge from which hurried on the fatal issue of the case.

The other case was that of an old man, called Cope. He had been under treatment in hospital for several weeks, labouring under chronic disease of the chest. A severe attack of dysentery set in, which terminated fatally in a few days.

Under "diseases of the eye" there is one death, that of Sweeney, the history of whose case, from the length of time he has been in hospital, no doubt you are familiar with. The malignant ulceration of the orbital cavity destroyed the bones of one side of the nose, and ate away a considerable portion of the cheek. The excruciating pain which he at times suffered from was succeeded by a state of insensibility, and he gradually expired; the insensibility existing for upwards of three days before his death.

Under "miscellaneous" there are two deaths, one from scurvy, admitted from the "Phoebe Dunbar," and the other from dropsy. He was sent into hospital from Toodyay, and arrived in a hopeless condition; the dropsical symptoms depending on extensive chronic disease of the heart and liver.

With respect to the surgical operations, I may remark that the amputation of Pascoe's leg at the thigh was performed for ulceration of the cartilages of the knee joint, and that on examining the diseased part, after the removal of the limb, its state was such as to fully justify the extreme measures adopted. The case did remarkably well, and he is now out on ticket of leave.

In the statistics I have taken no notice of such minor operations as extraction of teeth, laying open of abscesses, passing the catheter, &c. which are of daily occurrence.

With respect to clothing, I have thought it advisable to recommend that the use of flannels should be discontinued, except in cases where they may appear indispensable as a preventive of disease. Their general use I consider altogether unnecessary in a climate of this kind.

I cannot too strongly urge the necessity for some proper covering for the head during the summer months, the cap at present in use being altogether inadequate as a protection during the hot weather; and I think a considerable amount of sickness can be traced to that cause.

In conclusion I regret to say that my attention has lately been drawn to the prevalence of onanism amongst the Irish prisoners, a habit that nothing is more likely to develop than long continued solitary confinement.

I have the honor to be Sir,
Your most obedient servant,
(Signed) D. F. RENNIE, M.D., Surgeon.

GENERAL STATEMENT of CASES treated in the Convict Establishment, Fremantle, Western Australia, from July 1 to December 31, 1853.

Cases remaining on June 30, (20 in hospital) -	-	-	-	61
Cases admitted between July 1 and December 31	-	-	-	1703
Of these were dismissed:—				
Cured -	-	-	-	1582
Relieved -	-	-	-	91
Died -	-	-	-	13
Remaining under treatment, December 31 (27 in hospital) -	-	-	-	78
Total under treatment during the half year (649 of which were treated in hospital) -	-	-	-	1764

CHAPLAIN'S REPORT.

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Convict Establishment, W.A., Fremantle,
Jan. 2, 1854, Chaplain's Office.

SIR,

ON the 18th June, 1853, I entered upon the duties connected with the chaplaincy of the above establishment, and I have now the honour to lay before you my half-yearly report, extending from July 1st to Dec. 31st in the same year. Placed for the first time in a position so very dissimilar to that of parochial clergymen in England, I may be expected to have felt much my want of experience. The counsel of the superintendent, always given with a delicacy that enhanced its value, I have often gladly sought on all matters not strictly ministerial ; and this aid has, I trust, in some measure supplied my defect. His ready removal also, under your sanction, of every obstacle that I conceived likely to lessen the efficiency of my ministrations requires a warm expression of my thanks. To the gentleman, who with great activity and zeal for the public service has

filled, during the last three months, the office of deputy superintendent, my obligations are likewise in no slight degree due.

The duties of a convict chaplain, if not always fatiguing in themselves, are very constant in their demands upon his time and thought, leaving, unfortunately, little leisure for private study. Having the members of his charge always within reach, meeting them morning and evening in the public worship of Almighty God, and vested with authority to summon them to him at his discretion for rebuke or encouragement, he has indeed multiplied opportunities of effecting good. But the more the openings that invite his exertions, the more he has to lament the want of that unrelaxing elasticity of mind and spirits that God has granted to but few, and the more cause he has to sorrow over what is left undone. From four to six hours of the chaplain's time are here usually spent in "office" work, which, in addition to a good deal of writing, includes interviews with Protestant prisoners going out on ticket of leave, with the same class of men returning as re-convicted prisoners, and with those who daily apply to see the chaplain, or are sent for by him.

Sunday Services.

During the last half-year the Sunday duties of the chaplain have embraced a full morning and afternoon service, a short evening service in the hospital, and the visiting of prisoners under punishment in the refractory cells. To the public services of the church the attention of many of the prisoners has been very encouraging. There are numerous exceptions—but I believe this convict congregation presents as many attentive listeners, as many worshippers of an outwardly reverent demeanor, and as many who join in the responses of our liturgy, as any *ordinary* English congregation of equal numbers. The choir, which has been remarkably good, has fallen off much from the loss of many of its members, who have obtained their ticket of leave. The addition of an organ would do much to sustain the interest of the men in this part of the service; and if we may judge from our present circumstances, there would be no difficulty in selecting a prisoner capable of playing it. A plan about to be submitted to you by the superintendent for granting some small advantages to the members of the choir, combines (in my estimation) the excellent principle of confining it to those who are returned as "exemplary." You will, however, perhaps concur with me in thinking that ability to give instruction in vocal music and to lead a choir should be a standing qualification in a prison school-master. The wards available for the conducting public worship are not at all adapted for the transmission of sound. This, in a warm climate, entails much extra labour upon the clergyman, and, I fear, materially lessens the usefulness of his public ministrations. Continued attention on the part of the hearers is more easily maintained, when the construction of the building permits him to address them with his voice but little raised above its natural pitch, than when it is only by a great effort that he can make himself audible at the extreme end of the building. Nor less serious does the evil seem to be, that we have no place set apart and dedicated to the worship of God. Officers have residences, and prisoners theirs, and attached to them a hospital, a washhouse, a bake-house, a kitchen, but for God's service has no place distinct and separate been found.

Daily Services.

The daily services have consisted of morning prayers, at thirty-five minutes past eight, with the probation and hard labour prisoners; and at forty-seven minutes past eight with that portion of the reconvicted prisoners who occupy a separate ward on the silent system. The evening services have commenced with the reconvicted prisoners under separate confinements at seven, and that held with the general body of prisoners has followed at fifteen minutes past seven. At each of these services, before limited to a hymn and a few prayers from the liturgy, I have introduced the reading of a short passage of Scripture, and a few words of simple comment are frequently added to explain or enforce what has been read. This small addition may, under the Divine blessing, prove of benefit to the men. The vicious and careless are not suffered to proceed in the labours of the day without hearing something to warn or arouse them, nor suffered to retire to rest without being reminded of the goodness and forbearance of Him "who is kind unto the unthankful and to the evil." As to its effect upon the better disposed, the passages read are usually listened to by these with attention, and some of them have expressed the pleasure they derive from daily hearing God's word read in their public devotions. The time allotted to these services is necessarily very limited, and it never exceeds ten or twelve minutes. After the evening prayers have concluded in the wards, a short service, limited to reading and prayer, is held in the hospital. From the hospital containing at all times a number of Roman Catholic patients lying intermingled with Protestants the chaplain's duty here has presented some little difficulty. It would have been wrong of me to forget that I am a Protestant clergyman, sent out to inculcate the doctrines of a pure and reformed faith; but I have endeavoured, in teaching positively and definitely the truths of the English Church, never to treat them as matters of controversy. The Roman Catholics have behaved with the utmost decorum at these services, and have often appeared gladly to assent to such doctrines as are held by both churches, though declared by a minister not in communion with their own.

Administration of the Holy Communion.

The Lord's Supper has been twice administered during the half year, the use of the town church being kindly granted on each occasion. Of the nineteen prisoners that were present at the first administration, eight had not received it in the colony before, the greater part of them being "Robert Small" men, recently landed; four on the earlier list of communicants absented themselves. Before its second celebration the old communicants had been much scattered; three had obtained their tickets of leave, nine were at out-stations, one was confined by illness; so that six only of the original number remained. The return, however, of those who had previously absented themselves, with the addition of six fresh communicants, left on our list at the last administration sixteen names. I have no reason to think that the conduct of any of these men is inconsistent with their profession. There is unfortunately reason sometimes to suspect the sincerity of prisoners' religious professions; but where there is no ground for suspicion, their religion may be presumed to be of a very sterling nature. Where crime has really been followed by sincere penitence, a prisoner's stedfastness has to endure the test of strong daily temptation and frequent ridicule. The communicants have been assembled for private instruction once in every five or six weeks. Throughout the present year I shall (D.V.) administer the Lord's Supper every six weeks, and meet the communicants twice during each interval. If the chaplains of English prisons, from which convicts are sent to complete their probationary period in the colonies, would kindly forward with the prisoners on their embarkation a list of those who have been communicants during their imprisonment in England, with any remarks relative to their character that may appear expedient, they would render a great assistance to the chaplains of colonial convict prisons. Here I have no means of verifying the statements of those men who tell me that they were communicants at this or that English prison. Were I able to test the truth of their assertions, I should have the satisfaction of knowing what prisoners had preserved in the opinion of their former ministers an upright and consistent character during the earlier part of their servitude. Were it possible to extend such information to the great body of the prisoners sent out, the service rendered us would be greatly increased.

Deaths in Hospital, &c.

Four deaths have taken place in the hospital. Of the deceased prisoners, three were ticket-of-leave men received into the hospital for medical treatment; the other was a colonial prisoner. I. C., 985, colonial prisoner, was ill for some time: he appeared to be humble and thoughtful, and conscious that the human soul is of great value; he often asked God's mercy, and I would hope that, before the night closed in upon him, he found through the Saviour the pardon and grace that all in common need. The yard in which Protestant interments take place is distant from the convict prison about a mile and a half. The former part of the burial service is read in one of the wards, the hour being so arranged that all the Protestant prisoners may be present; the body is then attended to its last resting-place by as many of the men as can be spared, but chiefly those of the bay and ward to which the deceased belonged. This respect to the convict's remains is not only calculated to strengthen kindly affection and sympathy among the survivors, but is what, I humbly believe, we owe as Christians to the deceased. Though earthly courts should sentence a criminal's remains to be visited with shame and contempt, the punishment is an impotent one—the criminal is beyond their reach, and stands at a higher and more exact tribunal. Better far would it not be in Christian charity to hope—however faint in some cases the hope is—that repentance had preceded death, and that he who died a convict had now laid aside his shame and corruption? The indulgence of such a hope must be consistently followed by the ordinary marks of respect to the lifeless remains.

School, &c.

The school, partly owing to the absence of a regular chaplain, was not in a very efficient state upon my arrival; nor can I take credit to myself for any near approach to perfection in its present condition; I trust, however, that it is materially improved. The prison school is affected by difficulties peculiar to itself. The time during which each pupil can attend is very limited, not exceeding here four hours weekly; the mental flexibility and the strength of memory that children display are wanting; and that cheerful readiness to learn that is found even in adult scholars, brought together by their own desire of self improvement, is often exchanged in the prisoner, who knows school to be compulsory and persists in regarding it as a penal infliction, for a sullen determination to do as little and learn as little as he possibly can. Prison discipline can enforce order, quietness, and mechanical compliance with rules; but it cannot remove the irksomeness that school presents to many adults, nor bend the stubbornness of others, nor urge learning where, from early neglect or natural stupidity, there exists no ability to receive it. The forgetfulness of these obstacles often leads the casual observer, whose experience is founded upon an acquaintance with the schools of the young, or the voluntary classes of adults, to suggest a multitude of improvements for accelerating the pupils' progress. I found the men allowed to read, write, or cipher, as their humour dictated; they are now

confined in these employments to set intervals of time, as in the time table appended, (App. A.) Were it possible to bring together all those who show a desire for self improvement, and whose general character afforded a guarantee against the abuse of the indulgence, these men would make far greater progress and acquire more useful knowledge by being allowed, under certain restrictions, to choose their own subjects. All being bound to acquire the elements of education, reading, writing, and arithmetic, the remaining time might be spent in studies of their own selection. An evening school of this kind would, I am persuaded, succeed here admirably, but there is no room available for the purpose. The hard labour ward is used as a school room by day, but at night this is of course occupied by the prisoners to whom it is assigned. Next to a chapel we have perhaps no want more to deplore than that of one or two good school rooms. I must respectfully request your especial attention to the great inconvenience to which the school is subject from the want of these buildings. I should have stated that the Roman Catholic prisoners, who arrived by the last ships have not attended school from the difficulty we have experienced in obtaining a second master. A well ordered school was considered preferable to one too large to be manageable. Our efforts to obtain a master have now happily succeeded, and as all Roman Catholics are placed under my care as regards the secular part of their instruction, I shall lose no time in securing the organization of the new school.

Library.

The prison library, if well supplied with religious and useful works, I have been led to regard as one of the most probable agents for effecting, under the Divine blessing, the reformation of my unhappy charge. Here within safe limits scope is given to the tastes of the men, and the mind left to apply itself with eagerness and vigour to the acquisition of knowledge, doubly esteemed as unconnected with constraint. Appendix B. will show the average weekly issue during the half year. The decline observable is in part owing to the number of prisoners who have left on ticket of leave, or for out-stations; and partly it results from the shorter time the men have for reading during the summer evenings, while the refreshing coolness of that part of the day disposes them to spend what leisure there is in the exercise ground. For study out of school each prisoner is allowed one library book, and in addition, where applied for, one educational work, such as an arithmetic or geography, with a slate and copy book. As the issuing of blank paper may lead to serious abuses, the copy books are at regular intervals inspected, and their pages looked through. It affords me pleasure to say, that I do not remember a single instance in which this privilege has been abused. Should the question arise, whether this is not rather an extravagant use of school materials, I would submit that it is much better in a moral point of view, and therefore will in the end be cheaper in an economical one, to keep every man, disposed to employ himself, well and fully employed. Although the library contains 1,100 volumes, it is deficient in works of general interest. Many too of its religious publications are invaluable, but the majority are of a tone, that, in my judgment, is not strictly accordant with the moderate views of the English church. Thus, of the tract publications, few of them seem to have proceeded from the pen of a churchman, while many are issued from the Wesleyan press. It has often surprised me, when, in different volumes, I have fallen upon this tract, "Wesleyanism a True Church, and no Schism." Whatever a chaplain's views may be as to the defence set up by this body of christians for their separate existence, an English clergyman does not feel himself called upon to promote that defence among convicts of the Crown. A much larger supply of educational works is needed, and it would be a most acceptable boon, if we could have sent us the best popular books on travel, history, modern science, &c. An additional supply of the later works issued by the Christian Knowledge Society would be of much service. I drew out a list of all the works that appeared to me most desirable, and forwarded it to you through the superintendent some months since; and I entertain a hope that my application may be favourably received in England, should it have met with your approval. Our obligations are due to the Christian Knowledge Society for 10*l*. worth of books given me for this establishment before my leaving England, on the application of the Rev. H. Clissold, of Stockwell.

Among the most depraved there is a morbid taste for narratives of the Great Rebellion, the French Revolution, &c. I shall be pardoned in expressing my opinion that such books should rarely if ever be admitted into the libraries of convict prisons. Written often by men of solid piety and great judgment, they enforce excellent lessons and hold up to deserved execration the excesses of unbridled ambition and popular excitement; but the men who most covet their perusal within the walls of a prison have their moral sense blunted, and cannot appreciate the better part. They gloat only over the crime and licentiousness laid open to their view. Of such works I found, in some cases, not one but several copies; they are now all withdrawn. For similar reasons, works narrating the exploits of criminals, though accompanied with excellent reflections upon the guilt incurred, have been also withheld. By a mind already under the influence of a heart thoroughly depraved, the moral is viewed with contempt. To the pure alone are all things pure.

Lectures.

The lectures delivered by some of the prisoners to their fellows may demand some notice. During the latter part of the half year, want of room for the accommodation of

the men has led to their suspension; but in the earlier part of it I had the pleasure of hearing several. Their general usefulness would have been increased, had they been written in a more plain and popular style; to this, however, there were exceptions. In point of morality no fault could be found with their sentiments; while some contained strong, and we would trust sincere, exhortations to a course of honest and virtuous living. The attendance of the prisoners was entirely voluntary; those who attended behaved with great propriety, and seemed to listen with interest. I consider that the effect of such exercises on the men is highly beneficial; tending to wean them from low and sensual pleasures; bringing them back to some self respect; and stimulating them to cultivate while in confinement tastes that, as far as human means avail, will brace them against the solicitations of old vices, when the safeguard of restraint is removed. That lectures among prisoners and delivered by prisoners, should be assailed with sneers and contempt one might have anticipated; but this casualty does not afford any very solid ground for discontinuing them. Half the means used for benefiting mankind are daily exposed to the raillery and scorn of those who stand aloof; and there is little, perhaps, attempted for the reformation of convicts that has not at one time or another been subjected to this fate. In conducting them no doubt great care is required on the part of the superior officers of the prison, lest the true end, viz., the improvement of the men should be lost sight of. And on this account the rule for the exclusion of strangers cannot be too strictly adhered to.

Out Stations.

By the arrival of the convict ships, "Robert Small" and "Phœbe Dunbar," the number of prisoners was increased much beyond our present means of accommodation. Two out stations were therefore formed on the north and opposite side of the Swan river, at the distance of a mile and a half and four miles from Freemantle. No school can be held at either of these stations. A library has been forwarded to each, with as many slates and school books as the limited stock at my disposal would allow. The Protestant prisoners have from the first met together in daily prayer, adopting the service at the parent establishment as their model. It will be gratifying to you to learn that this was a voluntary act. On Sundays they meet twice, and an officer reads at each service a short sermon. The nearer of these stations I visit once a week, for the purpose of holding a short evening service. My congregation usually numbers from fifteen to eighteen—all the Protestants at this station. From scarcely any part of my work do I receive more encouragement than from the reverent attention and devout behaviour of these men. The other station has been visited less frequently, owing to its distance. The scarcity of freemen fitted to act as warders has led to the employment, under your sanction, of prisoners as constables or under warders. This plan was first tried at these out stations. Prisoners of approved character were placed as assistants to the warders, receiving, as the reward of their fidelity in this responsible post, an additional remission of time. I would wish to bear testimony to the excellent behaviour of the prisoner constables; for it is most creditable to them and to the system, and speaks much for the care with which the superintendent has selected them. The unanimity that has prevailed between the Roman Catholics and Protestants at the out stations deserves to be noticed.

General Conduct, &c.

The conduct of the prisoners has been marked by quietness and order; very few offences of a serious nature have been committed. Some of the men are hardened and depraved beyond (human) hope of recovery, but such cases are chiefly to be found among the reconvicted prisoners and long sentence men. The quenching of hope leads to the rapid demoralization of the character. Little can the minister of Christ ordinarily do for men who have many years of imprisonment to look forward to: one cheerless prospect they are ever listlessly gazing upon—one heavy weight of woe crushes every energy. With the majority of the prisoners the prospect is more cheering; they look for one amelioration after another, and see at no distant period the fruit of good conduct in the restoration of their freedom. These men are almost invariably open to reproof, and advice is received by them well. The voice of conscience is not always listened to, there may be little fixed religious principle; but there is generally a sincere respect for the authority of God's law. And does this differ materially from the moral condition of the bulk of men without the walls of a prison? There is among the prisoners, as might be expected, great sorrow for the commission of the particular crimes that have severed the ties of kin and home and embittered their best years; and there is a proportionate conviction on their minds that the recollection of what they have suffered will be a sufficient safeguard in future temptation. It is much more rare to find a deep sense of shame and contrition for the violation of the divine law; and where this does not exist there can be but an uncertain guarantee for their future stability. Yet much, very much, will be gained to society, if these men do but lead such lives as shall exempt them from the penalties of human law.

Effects of outward voyage.

The pious labours of the chaplains at home seem lost upon many of the prisoners through subsequent contamination on the outward voyage. To the few months occupied by their passage many look back with sorrow. The selection of religious instructors,

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endued with a spirit of sober, fervent piety, and at the same time possessed of the knowledge and tact required in the tuition of a large body of adult convicts, must be a task of great difficulty. Still no pains can be too great, no expense too great, in the attainment of this object, when we consider the labor and cost already bestowed in the work of reforming these outcasts, combined with the frequent pernicious results of the outward voyage.

Working of the System.

In offering any remarks upon the moral and religious effects of the system pursued after transportation, I would wish to speak with considerable diffidence, as my opportunities of observation have been much too limited in point of time to warrant a decided and confident opinion. On the same account I can advance any proofs of its favourable operation with less hesitation. The success attendant upon it, however great it may be, may be recorded, without any suspicion of vanity, by one whose period of office has been of so short a duration. The design of Her Majesty's government, as far as I understand it, has been to have the body of the prisoners after arriving in the colony associated by day, and placed in separate cells by night. This furnishes an excellent test of the training and instruction received at home; an opportunity is afforded of calling into healthy invigorating exercise the religious instruction previously inculcated; and every prisoner passes through a course of preparatory discipline before he is exposed to the temptations of the world without. In estimating therefore, the success of what has already been done here, it must in justice be remembered that from unavoidable circumstances one part only of this scheme has hitherto been carried out. The prisoners have been associated by day, but they have not been separated at night. The erection of a prison capable of affording so many separate cells as are required must be a work of time and labour, and our present temporary prison is not capable by any ingenuity—with due regard to the health of the men—of doing more than it does. Indeed, the establishment of out-stations is partly the result of our not being able to accommodate in any manner in one building the number of prisoners received, so long as the prison now erecting is incomplete. The groundwork of practical religion must lie in the habit of daily prayer and daily study of the word of God. If the Christian can find opportunity for these, he need fear none of the temptations incident to intercourse with his fellow men. The separate cell by night encourages this habit; but the continued association of prisoners after the hours of labour does much to eradicate it. How can it be expected that many prisoners should, in the presence of the profane and irreverent, and sometimes of the infidel, have the moral courage to open the word of God, or bend the knee to Him? There are not wanting instances of those who fear the displeasure of their God more than the ridicule of their fellow men; but would not the strongest Christian tremble if he were called upon to ensure such a test? For the religious reformation of the convicts, a separate night cell is, in my poor judgment, an indispensable requisite. Of course I speak of the majority, and without impugning the power of Him to whom all things are possible.

That, while labouring under this difficulty, so much should have been effected—that there should be so much quiet and order within the prison, such ready, and for the most part cheerful obedience, and so many examples of integrity and fidelity—while it encourages and rewards those who have toiled in promoting these happy results, should above all be a matter of devout gratitude to Almighty God.

Another obstacle against which this establishment has had to contend, is the want of a body of efficient warders. Many have to be selected from needy emigrants, who fail to obtain support in the colony by the labour to which they have been accustomed. These men frequently seek the office of warders, only until something better shall present itself. Unacquainted with the details of prison discipline, they are still less likely to feel the moral influence of their words and conduct upon the prisoners, or to consider themselves as important though subordinate agents in a system that makes punishment subserve to reformation. Frequent neglect of duty is followed by successive discharges, and the substitution of fresh officers. Thus a want of respect is generated on the part of the prisoners, the warders have little self-reliance, and their superior officers can place less confidence in them. One trained officer from home would, I feel persuaded, be of more service in a moral, as well as disciplinary aspect, than four or five enlisted here.

Since May 1st, 1853, extra remissions have been granted to men whose industrial and moral conduct passes the limit of "V. G." and warrants the higher distinction of "Ex." These remissions have, on the whole, exerted a most salutary influence; and as an indication of the amount of accuracy with which this reward has been bestowed, I may instance, that not a single prisoner who has obtained the extra remission has yet been returned to the prison. This speaks much for the care and discrimination shewn by the superintendent in awarding remissions.

The constable system (to which I have already referred as existing in the out-stations, and which has since, from the scarcity of warders, been adopted in the parent establishment,) will have, I think, an excellent effect upon the minds of the prisoners. The men who are chosen to the office are themselves much improved by the consciousness of their having a trust reposed in them. Their conduct is marked by self-respect. Those over whom they are placed are much stimulated; there is a greater anxiety to keep free from "reports," and to reach the coveted "Ex." Nor are they left to the spur of a vague

hope as to the general success attendant upon a reformed life in the word without, but they have hourly before them some portion of that success realized. Under a small force of trained experienced warders, the prisoner constables would prove most valuable adjuncts in carrying out the moral discipline of the prison. It is obvious that such warders must be men well paid, not likely to be tempted to watch for more lucrative appointments; and men of sound christian principles, if possible, not likely to feel jealous at the promotion of well-conducted prisoners to an office bearing a slight resemblance to their own, though very subordinate in its nature.

I proceed as directed in the "instructions" issued to the chaplain, to make a few remarks on those who have left the prison on ticket of leave.

General Conduct of Ticket-of-leave Holders.

Very many of those who have regained this partial liberty are leading industrious and honest lives. From magistrates of large experience in the colony, the conduct of ticket of leave men, as a body, has received the highest encomiums. It is by no means uncommon to hear those who have for a long period employed them, praising their integrity as indoor servants, as highly as their industry on the farm. On more than one occasion I have been thankful to hear a magistrate of much observation and experience state his conviction, that the conduct of ticket-of-leave men was fully on a par with that of free immigrants.

Most common Vices.

The vices to which they are most addicted appear to be intemperance and Sabbath-breaking. During the last six months I have conversed with a great number of reconvicted prisoners, and from this as well as other sources, have gathered how generally one or both of these sins precedes the return to prison. Their temptations to intemperance are indeed numerous and powerful. They see much of it in freemen; often they have a master's example to draw them astray. The want of a *home*, of books, and other means of intellectual employment, sends them, after the hours of labour, to seek the society of the tap-room. If they reside in the bush they are often pounced upon on their visit to the town by some avaricious publican, whose house they have foolishly entered, and the wages of months are added to the earnings of the publican in as many days. These men are led to drink probably in many instances by the depression of mind to which, from their expatriation, their isolated position in a free community, and the occasional scorn and contempt they meet, they are exposed. The establishment of model lodging-houses in the towns of Perth and Fremantle has long occupied the thoughts of the superintendent as a scheme deserving the consideration of the superior authorities, from the probability of its affording some remedy for this and other evils. Such institutions would be self-supporting, if not remunerative, if one may judge from the present scarcity of lodgings and the high rents charged. At a comparatively low charge a comfortable and respectable home would be furnished to the ticket holder, while the addition of a good library would afford him evening amusements of an innocent and profitable nature. The model lodging houses (with some slight modifications) might be conducted as in England. Many prisoners, from the first day of their release, would be saved from lodging at low and disreputable houses, having better accommodation open to them at a more moderate charge. Those who are well disposed would always know where to find the society of the best men of their class.

The neglect of the Sunday, as a day set apart for religious worship deserves also some separate notice. The chaplain of Pentonville, in noticing the causes of crime in convicts, says: "The causes of their first lapse into vice and criminality were generally these—not wishing to retain God in their knowledge, and therefore deserting or neglecting the house of God and the Sabbath, &c." It may be safely affirmed that their subsequent relapse into a vicious course is closely connected with their return to a disregard of the Sabbath. The favour of the Most High and his restraining grace are withdrawn, and their after history is but a verification of the declaration; "Them that honour me I will honour, and they that despise me shall be lightly esteemed." They have indeed excuses that freemen cannot plead. They find in the world little christian sympathy, and occasionally they are made conscious that worldly feelings enter the house of God, and that the freeman dreads journeying to heaven with an emancipated convict at his side. That they may not be pained by any exhibition of such a feeling, some unwisely and wrongly absent themselves from the house of God, however near them. Those who are confined by their labours to the bush, need indeed strong religious principle to enable them so to hallow that day, that it shall not become to them as other days. But one great reason for the neglect of the Sabbath must be attributed to the light in which, during their imprisonment, the men are too apt to regard the public worship of God. Being (as under such circumstances it must be,) a matter of compulsion, some regard it not as a privilege—a season of profitable instruction and communion with their God—but as a penal infliction; the mere associate of justice punishing crime, not the handmaid of religion, the equal privilege of bond and free. It has been my earnest endeavour to prevent their considering it a hardship or a burden.

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Books for Ticket of Leave Holders on going out.

A supply of books to be distributed among prisoners leaving the establishment on their ticket would be of great service. Educational works would be of much value, as affording the means of long continued employment. If I were but able to give each man one religious book (such as Nicholl's "Help to Study the Bible"), and one educational work, according to his ascertained taste, it would afford employment for many a leisure hour, and help to wean him from the public-house, if indeed no more decided good resulted from it. Whatever such a distribution effected, I am persuaded it would more than repay the trifling expense.

Advantages of a short Period of Probation in all cases after arrival in the Colony.

It will be seen from the superintendent's returns, that comparing the number of recon-
victions from among those who have arrived with a ticket of leave and those who have done some period here as probation prisoners, the percentage is much higher in the former case than in the latter. A short time spent under mild discipline after the voyage seems desirable for each prisoner, before he enters upon the temptations of general society.

I now hasten to conclude my report.

Chapel.

The labours of a chaplain will be pursued, I trust, with greater profit when the erection of a chapel in the new prison shall enable us to worship the Most High amid associations inspiring reverence and devotion, in a building set apart for God, and separate from all common and profane uses. We may reasonably look for a larger blessing on his public ministrations, when the same room is no longer a school room, meal room, sleeping room, and church, deadening by its too familiar objects and associations the solemn and reverent thoughts of the worshipper.

True Reformatory Principles.

In my frequent reference to the utility of mere human means and of earthly rewards as stimulants to a life of honest industry, I have never forgotten that reformation in its true sense can only be achieved by religious principles springing up in the heart under the fostering hand of God. Whatever secondary motives human sagacity may discover to allure men from a vicious course of life, and however diligently they may be kept before the sinner's eye, they have no power to strike at the root of the evil by purifying the heart. We have, happily, one infallible authority to guide us. Our Lord sought out the most vicious in a depraved nation, and though He could not be said to despise those earthly rewards that his own providence strews along the path of virtue, He directed the thoughts and affections of his hearers to things spiritual and unseen. His teaching leaves us to infer, without room for mistake, that the most effectual means of reclaiming the wanderer is in the plain and full exhibition of Divine love, freely welcoming the penitent, cancelling without reproach his past transgressions, imparting daily a sufficient supply of spiritual strength for the mastery of evil habits, and so preparing him for an eternal inheritance of purity and bliss. That such means may have sometimes seemed to fail, can never be urged as a proof of their inadequacy. He who adopts them may imperfectly apply them, or may forget to seek, with the diligence he should, that blessing from on high, without which the best means must fail of success.

I have, &c.

JAMES BROWN, Chaplain.

APPENDIX A.

School Time Table.

Time occupied.		MORNING.		Time occupied.		AFTERNOON.	
From	To	First Class.	Second Class.	From	To	First Class.	Second Class.
9	9.45	Writing.	Reading.	1.30	2.15	Writing.	Reading.
9.45	10.15	Do.	Arithmetic.	2.15	3.0	Do.	Arithmetic.
10.15	10.45	Reading with explanation.	Reading with explanation.	3.0	3.45	Reading with explanation.	Reading with explanation.
10.45	11.15	Arithmetic.	Writing.	3.45	4.45	Arithmetic.	Writing.
11.15	11.45	Private Reading.	Private Reading.	4.45	5.45	Lesson or Private Reading.	Lesson or Private Reading.

APPENDIX B.

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RETURN showing the average Weekly Issue of Books from the Library.

Probation Prisoners.	Vols.	Reconvicted Prisoners.	Vols.	Refractory Ward and Cells.	Hospital.
Second Week in July	126	Second Week in July	56	Uncertain - - -	Uncertain.
" " Aug.	140	" " Aug.	50		
" " Sept.	160	" " Sept.	54		
" " Oct.	130	" " Oct.	46		
" " Nov.	110	" " Nov.	42		
" " Dec.	120	" " Dec.	40		

APPENDIX C.

RETURN showing the degrees of Educational Proficiency of Prisoners who attended School during the Half-year ending 31st December 1853.

Class of Prisoners.	Reading.						Writing.						Arithmetic.						General Knowledge.			
	Well.	Tolerably.	Imperfectly.	Scarcely at all.	Not at all.	Total.	Well.	Tolerably.	Imperfectly.	Scarcely at all.	Not at all.	Total.	Higher Rules.	Compound Ditto.	Multiplication.	Addition.	Not at all.	Total.	Considerable.	Some.	A little.	Scarcely any or none.
Probation - -	155	159	103	8	1	426	94	173	114	41	4	426	80	88	118	98	42	426	45	93	150	138
Reconvicted - -	49	40	23	-	1	113	25	42	29	14	3	113	20	26	34	21	12	113	11	33	46	23
Colonial - -	4	-	1	-	-	5	1	3	-	1	-	5	3	-	1	-	1	5	1	3	1	-
Total - -	20	199	127	8	2	544	120	218	143	56	7	544	103	114	153	119	55	544	57	129	197	161

ROMAN CATHOLIC CHAPLAIN'S REPORT.

Chaplain's Office,

31st December, 1853.

HONOURABLE SIR,

As this is the first report I have had the honour of laying before you, you will be pleased to extend some little indulgence to me in the remarks I may make in the course of this notification.

Being but lately come to the establishment, and entirely unacquainted with things which have a relation to prison discipline, should anything be said unadvisedly, I hope it will be accounted to the zeal which I have for the well being and good management of those who come under my observation. Before coming to the immediate matter which is in a more particular manner connected with my duty, I beg leave to offer a few preliminary remarks.

Nothing so soon enters and fixes deep root in the human mind as the indulgence in profane and immoral language, which I am sorry to say is too prevalent amongst many of the prisoners; and as those persons who wish to lead good and moral lives find it extremely difficult to avoid those parties who make it their continual practice to mock at and jeer those who seem inclined, by the avoidance of ill company, to sanctify their souls.

I would advise that those who are most remarked for modesty and gentle deportment, to be kept at a distance as far as is practicable, both in the prison and at work, from those who are marked for the contrary behaviour, for, to what purpose is the exhortation of a chaplain, if, on leaving the place where service has been performed, the men find themselves consorting with those whom nothing can move to the leading of a religious life?

I would also wish to call your attention to the manner of rewarding prisoners,—not to those alone who by scrupulous exactness in keeping themselves, while in the sight of officers, in the fulfilment of the duty to be performed by them,—not to the man who

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works well—but to him who unites in himself a strict attention both to spiritual and temporal matters—for from whence arises so much crime? Is it not from too great an attention to temporal matters and too little to spiritual matters; would I have extended any little privileges which are calculated to alleviate the tedium of confinement or shorten the term of imprisonment.

By so acting, an impulse would be given to the dormant energies of many who, at present, require some stimulant to spur them on to the exercise of those nobler feelings which the Creator has kindly implanted in the human breast as a magnet to guide them to himself.

Another subject to which I would likewise wish to call your attention. Man being a very sensitive animal, his feelings most easily aroused by anything which seems to have even the shadow of partiality—not that I wish to insinuate for a moment the existence of any but the most kindly feeling; but then, when we see things done which might occur without any premeditation, which give cause to suppose that some partiality does exist, I think it but right to lay the subject before you. On looking over the books of the establishment, I see that notwithstanding the Catholics are more numerous and bearing the same character, yet I find the number selected from the Protestants for performing services in the establishment, for which their time is considerably shortened, far exceeds that of the Catholics: this I would like to have looked into, so that when prisoners are to be selected for performing any services, a due regard would be paid to the numbers of the prisoners of both religions.

I have to remark upon all occasions, that when prayers are finished in the ward which is appointed for Protestant service, the prisoners are allowed to roam about the yard entirely regardless of those who are at prayers in the ward set aside for Catholic service. While, on the other hand, the Catholic prisoners are kept waiting, no matter how long, until prayers are finished for the Protestant prisoners.

The Protestant prisoners are allowed to keep, as the Church of England commands, those days holy which the Church of England authorizes; but the Catholic prisoners are not allowed to keep holy such days as the Catholic church commands to be kept holy. This is a grievance I hope will be removed. Catholics are bound to hear mass on holydays as well as on Sundays; in a word, the Catholic church commands holydays to be kept in every respect as Sunday.

Notwithstanding three months have elapsed since first I made application for the fitting up of an altar for celebration of divine service, I find that no effort has been made to get it up. And here allow me to remark the unfitness of the place in which prayers are given out.

When a place is appointed for the worship of God, some little attention should be given to its adornment, in order that those who there assemble may be inspired with a due sense of the purpose for which they meet together.

I hope that soon a chapel will be provided and fitted out as is becoming a place where honour and homage are paid to the Sovereign of all.

I find that up to this no Catholic teacher has been provided for the prisoners, notwithstanding the urgent necessity that exists of procuring so useful an officer. Therefore, as far as regards the education of the prisoners who come under my observation I have at present nothing to say; but I hope in my next report I may be able to give a satisfactory account of the progress of the prisoners in their literary pursuits.

I hope that a teacher may soon be provided who will be capable of imparting a good and useful education to those poor wandering children, who seem in general most desirous of availing themselves of those opportunities which may be the means of regaining a good name and at the same time fit themselves to fill with credit situations in which something besides mere bodily labour is required. Education is a blessing for which man cannot be too thankful, and none but those who are uneducated can feel how great, how incalculable is its loss.

The time which the prisoners have to spend in the establishment is as it were a second childhood, a time in which a golden harvest may be reaped, not a moment of such precious time should be allowed to be idled away; consequently the more urgent are the claims of the prisoners on you, that you provide for them a teacher who will well understand his business: but there is one thing I would not only recommend, but require as a necessary qualification that to the reputation of an efficient teacher be joined that of a pious Christian.

The course of education pursued by the Irish National Board seems to me very well adapted to an establishment of this kind; but then for school-books, I would recommend those works published by the Christian Brothers, a society highly approved of for the soundness of its educational principles. There is another subject which deserves your attention.

Nothing is more calculated to give a high moral tone to men's feelings, and excite them to the performing of virtuous acts, than hearing or reading of those who have been famous for their virtues, nothing better calculated to give relief to the mind wearied with the labours of the day than a recital of innocent and amusing stories, histories, &c.

Much evil is oftentimes prevented by a careful attendance to the improvement of the mind. The human mind is never at rest, something must occupy it, something must furnish it with employment, it is never at a stand-still.

If rational amusement is not provided, something is sought which will cause excitement.

If prisoners are not provided with books to which they may turn now to improve the mind, anon to while away the slow, dull, tedious monotony of long winter nights, they will naturally look into themselves for that which is not given. And what is the consequence? Alas! amusement is sought for at the expense of religion; quarrelling, profanity, gambling, and immorality are sure to be found as the means made use of to make time pass.

Then to avoid this, to give an opportunity to those who would wish to improve themselves, or take some innocent amusement, I hope you will use your influence to procure a useful library. At present the Catholics have no books; the books which are in the establishment are not generally speaking fit for Catholics to read, most of them having a tendency to revile the Catholic Church.

It is also most desirable that the Catholic prisoners should have a library distinct from that of any other religion.

In an establishment of this kind, I think that with very little trouble the sick could be easily kept in different wards, so that when the chaplains would visit the sick those of one religion may not be obliged to listen to the prayers of another.

It is with great pleasure I turn from what I considered my bounden duty to make mention of, to give a short notification of those matters which more peculiarly come under my province.

Since my coming to the establishment, I can say with confidence that the prisoners, generally speaking, have been most exemplary; amongst them I hear no murmur against the sad destiny which has separated them from home and friends; resignation to the will of God seems to inspire them with a holy confidence in the care which the Creator exhibits towards His creatures; grateful to God Almighty that He did not snatch them out of this world in the midst of their crimes and disorders, they say "It would now be wickedness indeed to offend Him." Many, alas! too many, who have come under my observation had never heard till their conviction of religion, and it is with feelings replete with the truest love they acknowledge the hand of God Almighty in bringing them to punishment, for otherwise, they said, "we would not know God."

To give an instance of the desire these men show for the performance of their religious duties, day after day they present themselves to me during the few moments that are allowed them for recreation after meals, and, finding that I could not attend to all who wished to see me, unless more time were granted me, I have been obliged to apply for the afternoons of Wednesdays to be set aside for the seeing of those who would require to see me, which application of mine you may perhaps recollect; and here allow me to express my most sincere and unfeigned thanks for the prompt and cordial support you and Mr. Dixon have at all time afforded me in any applications which I have made relative to matters connected with the prisoners.

The general spirit of piety which is exhibited by the prisoners shows plainly their desire to advance in virtue and holiness, for here there is nothing to be gained in a temporal point of view by religious exactness in the performance of spiritual duties; but then the prisoners know well that unless they have religion as the foundation on which to build, no edifice can be raised of any durability; therefore I candidly and conscientiously say that, as a body, better men, even in far different circumstances, could not be found.

Allow me to call your attention to a matter of no small importance. The Home Government has spared no expense to obtain for the prisoners, while at home, religious instruction, great care has been taken to sow the seeds of religion in their minds, and, indeed I must say not in vain. Again, when about sending the prisoners to these shores, she exhibits her maternal care in providing spiritual instructors, in order that the seed sown at home might not perish, but rather increase, grow up, and bear fruit, during the long voyage; and I must say that no greater benefit could be conferred upon the poor prisoners than a very careful examination into the character and previous life of the persons about being sent as religious instructors; the instructions given by them have an effect on the prisoners mind proportioned to the character of the instructors themselves.

The benefits caused by a good religious instructor are inestimable. Witness the "Robert Small," on board of which a young gentleman, who had just finished his collegiate course, now the Rev. Mr. O'Callaghan, embarked as a religious instructor. I think it would be impossible to find better men than the prisoners of the above named ship. And it is with great love and reverence I often hear Mr. O'Callaghan spoken of by the prisoners. Knowing therefore the great attention paid by the Home Government in the providing religious instruction, I would call your attention to the fact of removing Catholic prisoners so far from spiritual help. As Catholic clergymen happen to be living only in Fremantle and Perth, while on the other hand there are some Protestant clergymen down about the country, York, Banbury, Guildford, Northam, &c., were Protestants sent to these places instead of Catholics much good would be done for both parties.

It now remains for me to give a short sketch of those prisoners whom I attended in their last moments. From the many reports circulated in Europe about the salubrity of this climate, one would be inclined to imagine that death was almost unknown; but I am

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sorry to have to report that during the short space of three months six prisoners have departed this life of misery, I hope and trust to enjoy a life of everlasting happiness.

For some time previous to my coming to the establishment, the prisoner Michael Darcy had been ailing. On the 3rd October, finding that the prisoner was very ill and could not live much longer, I prepared him to receive the sacraments, and soon after administered them to him, explaining at the same time the particular graces conferred by each sacrament. Far from fearing the near approach of death, he the rather rejoiced at being so near, as he himself said, to his heavenly Father, he prayed fervently that God would be pleased to take him to himself: with these happy dispositions he expired at 11 p.m., 9th October.

Thomas Dillon died on 17th October. I had been attending him from 6th same month. The poor man did not know until I informed him on the 8th he was dying; he received the intelligence like a true Christian, and immediately set about preparing for another and a better land. On the following day he received the sacraments with the liveliest expressions of love that God should deign to come to him: the eight succeeding days were passed in continual acts of resignation to the will of God, and ejaculations of love: on 17th October, 10 p.m. he passed out of this vale of tears, for, I hope, the regions of eternal bliss.

James Sweeny died 28th October at 5.15 p.m., he had been ailing for many months previous to my coming, and I found him well prepared for the coming change.

Daniel Sullivan died 29th December, after a short illness, full of confidence in the divine mercy.

Such four holy deaths proclaim more forcibly than the most eloquent language the holiness of the Christian religion which enables man to meet death with so much calmness and so much hope. The other two died rather suddenly, one having never spoken from the time of his entering hospital till his death.

And now having completed, I hope to your satisfaction, this quarterly report of mine, I hope that on every occasion, since so much depends on mutual assistance in which I may be obliged to have recourse to you, you will afford me the prompt compliance you have up to this.

May God in his infinite mercy enable us to discharge faithfully those duties on which depends the happiness of so many human beings, not only in this life, but what is of far greater consequence in the world to come.

I have, &c.,
THOMAS O'NEILL,
Chaplain.

The Honourable the Comptroller-General.

APPENDIX A.

His Excellency the Governor has been pleased to approve of the following regulations relative to the payment of ticket-of-leave men employed on public works:—

1. Prisoners on obtaining tickets-of-leave will be sent to such depot as his Excellency may direct and be employed on the works on pay, but after entering private service no man will be allowed to return to the public works on pay.

2. An exception to this rule will be allowed in the case of men who have not been more than six months in the aggregate in private service, in which case a certificate signed by the visiting magistrate, that they cannot obtain employment and have been discharged for no fault of their own, will, if their character be good, entitle them to receive pay on the public works; but it is distinctly to be understood that no ticket-of-leave holder is to be allowed pay on the Government works except when unable to obtain employment in private service at 8*l.* per annum.

3. No man in future will be allowed to receive more than 4*d.* per diem in cash, whatever the amount of his earnings may be; the whole of the balance is to be carried to his passage account.

4. An exception to this rule will be allowed in the case of constables, carters employed by the Commissariat, brickmakers, mechanics, and such men as it may be desirable to retain on the public works.

5. The average rate of pay for ordinary labourers on the public works will in future be fixed at 6½*d.* per diem, which may be increased by extra task work. Task work is only to be allowed to well-conducted men, and under special authority. Constables, mechanics, and men whose services are required on the public works may on special recommendation receive such rate of pay as may from time to time be approved by his Excellency.

To meet the case of men who are unable to earn more than 8*l.* per annum in private service or on the Government works, the annual payment on account of passage money may in such cases be reduced to 3*l.* per annum, or about 2¼*d.* per working day, at the discretion of the ticket-of-leave holder; but it must be distinctly understood that no conditional pardon will be issued until the full amount of passage money required by the regulations is paid.

By order.

E. Y. W. HENDERSON,
Comptroller General.

APPENDIX C.

Regulations for the guidance, &c., of constables at ticket-of-leave depôts :—

1. A selection will be made of the best conducted and most efficient men among the ticket-of-leave men, who will be eligible to serve as constables, to whom, when so employed, the following rates of pay will be allowed—

3 months service	-	-	-	1s. per diem.
3 and less than 6 do.	-	-	-	1s. 6d. „
6 and less than 12 do.	-	-	-	2s. „
After 12 months	-	-	-	2s. 6d. „

2. Promotion, however, will not depend solely on length of service, but each case must be specially reported on by the senior assistant superintendent; and the promotion will not be granted unless the conduct and abilities of the constable fully entitle him to it.

3. Constables who perform their duties well and faithfully will be recommended to the Governor, after eighteen months service, as eligible for appointments in the police force in the colony.

4. They will assist the officer in charge of the depôt in maintaining order, regularity, and industry among the men, and cleanliness in the depôt; accompany the working parties to and from their work, and remain with them while on the works, and faithfully perform whatever duties are allotted them by the officer in charge.

5. The bakers and cooks will be made constables at depôts when so recommended, and the proportion of constables at each station will be regulated by the number of men and the requirements of the service, on which points reports are to be made from time to time by the superintendents.

By order,

E. Y. W. HENDERSON,
Comptroller-General.

APPENDIX D.

HALF-YEARLY REPORT of the Works in Fremantle District, from 1st July to
31st December 1853.

Royal Engineer's Office,
Fremantle, 14th January 1854.

SIR,

I HAVE the honour to report as follows upon the works carried on under my superintendence during the six months ending 31st December 1853.

The whole of the lime for the works and for cleansing purposes in the prison has been burned and delivered at an average rate of fourpence per bushel—convict labour and sapper superintendence. Limekiln.

The three remaining houses of these ranges have been ceiled and plastered.

This building has been completed, and is occupied as offices for the comptroller-general and royal engineer's department. Warders quarter, Henderson Street. Chaplain's house.

Consequent upon the removal of the royal engineer's office and store to the above-mentioned building, these rooms have been handed over to the staff officer of pensioners, and one of them has been fitted up as a pensioner's armoury. R. E., offices. Pensioners Barracks.

The front range of cells is erected to the height of the third gallery, which the carpenters are fixing. New Prisons.

The story-posts and girders of the associated room are fixed, and the carpenters are caulking down the joists.

A considerable quantity of stone is cut for the last tier of cells, but owing to the want of long scaffolding poles, and those in use having become unsafe, it has been considered better to await the arrival of scaffolding poles, daily expected.—Sapper and prisoner mechanics; prison labour.

The quarries have supplied the stone for the works in progress.

The stone rubbish has been sent down the tram to Henderson Street, and has made it a good road for carts, whereas it was formerly almost impassable from the heavy drift-sand.—Convict labour. Quarries.

The men employed in the shops have done all the joiner's and smith's work required, and turned out a quantity of furniture, and a large number of barrows and other tools for the out-stations.—Sapper, civilian, and prisoner carpenters. Smiths and carpenters shops.

The sawyers have kept the works well supplied with timber.—Sapper and prisoner sawyers. Sawpits.

The necessary repairs have been carried out. The chaplain's office having been removed to that lately occupied by the superintendent, his office has been fitted up as a surgery. Establishment repairs.

The buildings have been finished, and are in occupation.

Furniture and tools for the out-stations have been supplied to this department as demanded for conveyance. Mandurah police station. Commissariat department.

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guard room.

A guard-room, 20 ft. $\times$ 12 ft. in the clear, has been erected on one side of the main entrance to the commissariat yard, and is in occupation.—Prisoner masons, sapper and civilian mechanics, prisoner labour.

Commissariat
officers stable and
cart shed.

This two-stall stable, 12 ft. $\times$ 14 ft., with an open cartshed 16 ft. $\times$ 8 ft., has been erected in the south-west corner of the commissariat yard, and is in occupation.

Magazine guard
room verandah.

The verandah round this guardhouse has been put up, and affords great comfort to the men. The building being very small, was intensely hot in summer.

Water police boat-
house.

A boathouse, 40 feet by 20 feet wide, of timber, weather-boarded, on stone foundations, with concrete floor, and store in the roof, has been constructed for the water police and harbour master's boats.

An inclined paved with roughly-dressed stone, has been made through the rough sea-wall to admit the boats.

Filling up swamps
in Fremantle.

Two large swamps, which became ponds in winter and in summer were nearly dry, being considered in a measure the cause of much sickness in Fremantle and in the convict establishment, have been filled up by the hard labour party.

In consequence of the arrival of the two ships, "Robert Small" and "Phoebe Dunbar," with nearly 600 men, it became necessary to increase the accommodation.

Framing wooden
depôts.

A wooden building, 110 feet long, 20 feet wide, on plates, weather-boarded on sides, shingled on battens, and floored, with ship's fittings, was erected in September in the yard of the present temporary dépôt. It affords accommodation for 176 men, in two tiers of hammocks. Being built on plates, it can be removed on the expiration of the lease of the present dépôt.

The wooden dépôt constructed for Albany was at the same time sent to Freshwater Bay, and accommodates eighty men in hammocks.

This building was covered with painted canvass, as taking a shorter time to prepare.

Four small wooden houses, also covered with painted canvass, for Freshwater Bay, and three similar ones for North Fremantle, to accommodate the warders, and as stores, were finished and sent away.

A wooden building to replace that sent to Freshwater Bay has been prepared and sent per "William Pope," to Albany.

This building will be weatherboarded and shingled, the materials being obtained on the spot.

Pen sioners bar-
rack guard-room
and cells.

This building, consisting of a guard-room, 14 ft. $\times$ 14 ft., with two cells for solitary confinement, a small exercising yard and privy, at the end of the pensioners' barracks, has been erected of stone, with a verandah along the front. It is nearly complete, and will be handed over to the barrack master in a few days.

A small privy (required for the hard labour party) has been erected on the south wall of the yard of the present dépôt.—Handed over.

Pensioners ar-
moury.

Racks for 128 stand of arms, and pegs for 129 bags of clothing have been fitted in the Pensioners' Barracks, formerly used as R. E. Office.

Convict ship
fittings.

The fittings in these ships have been taken down, and will be applied to such works as they are fit for.

Works Commenced and not Finished.

Jetty, Cliff-street.

The piles for this jetty, forty-six in number, for the river steamboats, passage and cargo boats, have been driven through rock for the whole length, 200 feet.

The carpenters are employed putting on the cap-sills, preparing the joists.—Sapper leader; prisoner carpenters and labourers.

Boundary wall,
New Prison.

Four hundred yards, linear, of this wall, 1 foot 6 inches thick, 15 feet high, good sound rubble masonry, is erected—being rather more than half of the whole, if the prison is extended its full length.—Sapper masons; prisoner labourers.

Wall in front of
pensioners bar-
racks.

A retaining wall 5 feet high, being the road boundary of the parade of these barracks, is being executed by the same party which built the guard room and cells.—Sapper superintendence; prison labour.

Punishment cells,
New Prison.

Eighteen dumb cells, six of them entirely dark, to be arched over, and to have a nearly flat roof, have just been commenced; they are placed at the back of the centre of the main building, and will be enclosed by a yard; this work will be executed by civilians under contract.

North Fremantle.

Depôt.

The dépôt at North Fremantle have been taken down and reconstructed about half a mile from the pensioner village on the Perth road. A well 18 feet deep, affording a plentiful supply of good water, has been sunk through loose sand.

Perth Road.

The main body of prisoners (averaging sixty) have been employed levelling and forming the road, raising and breaking stone for macadamizing it. They have completed nearly one mile of road to the width of 30 feet.

Pensioners
cottages.

Prior to the removal of the ticket-of-leave men in September, they had completed the masonry of 19 cottages, and roofed in some; the whole have now been completed, and are occupied by pensioners.

The approach to the bridge across the Swan was commenced and brought up to the summer level of the water. As the men went on ticket from the establishment, this party was necessarily broken up to supply their places.

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South side of the
river.

Clarence Road.

This old colonial track having been much complained of by the colonists from the southern districts, especially for about four miles north of the town-site of Clarence, where the large masses of stone projecting through the sand did considerable damage to their drays, a party of men was sent to remove these obstacles and make the road passable.

They have macadamized the line to the width of twelve feet wherever the stone rendered it necessary: and the line has been so laid out as to avoid the very steep and stony hills.

Where the line has crossed the sand, it has been simply cleared, and in these parts mostly, the sand being mixed with loam will afford very fair travelling ground.

This party will shortly be withdrawn.

The system of task work has been carried out as far as possible, but the incessant change of men, owing to the numbers obtaining their tickets of leave, and the variety of works in hand, has prevented my arriving at such satisfactory data as I could have wished.

The men on the whole have worked willingly and done a fair day's work, more particularly those employed as sawyers and mechanics.

I have, &c.

(Signed) HENRY WRAY, Lieut., R.E.

APPENDIX E.

Lieutenant DuCane, R.E. to the Honourable the Comptroller General, reporting on the works performed in the Eastern Districts during the half-year ending 31st December, 1853.

SIR,

Guildford, 26th January, 1854.

I HAVE the honour to forward the following report of the work performed in the eastern district during the half-year ending December 31, 1853.

At Guildford, the average number on the works has been—

Royal Sappers and Miners, including Warders	-	5
Free Mechanics	-	3
Ticket-of-leave Men	-	20
Prisoners	-	40

The number of ticket-of-leave men has varied from 4 to 80.

In October the depôt was changed into a branch convict establishment; the number of prisoners on the works has varied from 19 to 70.

The commissariat officers' quarters has been plastered, ceiled, floored, doors and windows made, and all the inside work done but the painting, and it is partly occupied.

The store has had temporary flooring laid down, ventilators made, doors hung, and is in use.

A well windlass has been made.

The quarters for four sappers have been commenced and finished entirely, and are occupied by sappers and warders, and part of one room as an engineer's store.

The timber required for the completion of the Guildford bridge has been procured, and the six bays which span the water completed; the timber for the pier of the approaches has also been cut and the stringers for part of them.

Eight piers of the approaches have been put up, and some of the stringers, being all the are required on this side of the river.

Nothing has been done to the embankment since last report, but a ditch has been cut along the whole length, which will carry off such water as prevented us from working last rainy season.

The Helena bridge has been replanked.

The district gaol has been repaired, and the gratings by which prisoners were enabled to communicate with the outside have been stopped up.

In consequence of the change in the class of men stationed here, a wall has been commenced to enclose the depôt and buildings: about half of it has been finished,

A new carpenter's shop has been built of brushwood and rough timber, thatched with rushes.

The store previously used for tools has been given to the convict establishment, and part of one of the rooms built for sapper's quarters has been fitted up for tools.

Sashes have been made for the cookhouse; the chimney place has been blocked up; and two additional boilers put up to accommodate the increased number of men.

18,000 shingles have been split.

1,926 bushels of lime burnt.

851 bushels of charcoal burnt.

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The Bindoon Road has been cleared for eleven miles—the party was withdrawn in October, after gradually decreasing until there were only four men.

A part has been cleared only 16 feet wide, on account of the large number of white gum trees requiring removal. This road is not passable on account of bridges, ten of which are required on it.

A small portion of the road leading to the Upper Swan-York and Toodyay, has been made regularly, and one small bridge has been made on it. The number working at this have been small and fluctuating, and it is now abolished entirely.

The York Greenmount has been repaired in such a way that I hope the rains will not do it much harm this season. In the middle of December, a sapper, instructing warder, and twenty-eight probation convicts joined: since then the road has been made of the proper shape and width, with drains, &c. up to the top of the hill.

The new pass up Toodyay Greenmount has been opened—about half a mile properly drained and completed—and half a mile levelled off without drains to render it passable. A well has been sunk and steened about half-way up the hill. There has been a great deal of very heavy work on this road.

At York, there have been three sappers, and an average of forty-two ticket-of-leave men; their number varying from fifteen to eighty.

The depôt has been roofed in and shingled; the Hammock Bay framing put up, and the floor laid with brick; there remains only a gable, the plastering, and some fittings to complete it.

The warders' cottages have been floored and plastered, the doors and sashes made, and the inside work finished.

The cook-house walls have been erected.

About 50 feet of the commissariat stable has been roofed in and shingled.

The rammed earth walls of one pensioner's cottage are up, and footings are in for two more. Rushes for thatching, and rough rafters have been cut.

The lock-up walls have been pointed—the yard has been enlarged—the walls raised, and the native cell completed.

About 80,000 bricks have been made.

The convict grant has been cleared and enclosed with a three rail fence. Eight good bridges have been made on the road to Northam, and one or two miles of clearing done. This road is now quite opened.

York Street, Beverley Road, and Guildford Road have been repaired.

A small causeway across the Avon, which was much damaged by the floods, has been repaired.

A flat was made to cross the river during the winter season.

At Toodyay the number of sappers has been on the average, 4; of ticket-of-leave men, 33; and of probation men, 12.

The depôt has been roofed, floored with bricks—the Hammock Bay framing erected—and is occupied.

The depôt store has been fitted with shelves.

The district jail has had its yard enlarged—the wall made fifteen feet high—and the native cell altered, to make it more secure.

The commissariat store has been floored, and some shelves fixed in it. The quarters have been provided with sashes.

A carpenter shop of brushwood has been erected.

Four large and comfortable huts were erected towards the close of the winter for the pensioners, that they might be able to come and live on their land and till it while the season allowed: their permanent cottages have also been in hand, and the completion only delayed by want of a thatcher, who has since been procured.

Half an acre of land was cleared for each of them. Two of the cottages are being built of brick, the owners engaging to pay the additional expense.

The Guildford road party have been very few in number, and with no superintendent but a ticket-of-leave man: they built two wooden bridges, several stone culverts, and one well; also some very heavy embanking and cutting, and got about eight and a-half miles from depôt; the work is not performed satisfactorily from want of good supervision.

The party who were working from York depôt towards Toodyay, having completed the bridging as far as Northam, were transferred to the Toodyay depôt, to bridge thence towards the same place: they have finished three good substantial bridges.

Two men have been placed with Mr. Chidlow to work on the road from Northam to Guildford.

About 30,000 bricks have been made.

The Honourable the Comptroller-General,
&c. &c. &c.

I have, &c.
(Signed) E. F. DUCANE,
Lieut., R. E.

Lieutenant Crossman, R.E., to the Honourable the Comptroller-General, reporting on the progress of the works carried on by ticket-of-leave men and convicts in the Perth district during the half year ending 31st December, 1853.

SIR,

Royal Engineer Office,
Perth, 27th January 1854.

I HAVE the honour to forward this my report of the progress of the works carried on by ticket-of-leave men and convicts in the Perth district during the half year ending December 31st, 1853.

An infirmary has been built at Mount Eliza capable of holding from four to six men. Mount Eliza. This building has been long very urgently required, owing to the large number of ticket-of-leave men in Perth and its vicinity.

The foundation for the warders quarters has been laid, and everything is ready for erecting the wooden building when it may arrive from Fremantle.

Very little more has been done at Mount Eliza. The Fremantle road has been proceeded with at different times, and the sea wall continued when there were men to spare.

¹ During the first part of the half-year, a few men were employed at the Government demesne laying the floor of the stable and in draining part of the land.

The reason that so little has been done at Mount Eliza is, that every available man on his arrival at the depôt has been sent by his Excellency's orders to Claise Brook, where they have been employed in repairing the tank attached to the abattoir, improving the road to that building, in deepening Claise Brook, and in digging drains in connexion with the general drainage of the lakes at the back of Perth.

I cannot report that the men in Perth have worked so well as I could have wished, but there are several ways in which this can be accounted for. 1stly. The men who superintend them on the works have also the internal economy of the depôts to attend to, which duty of course obliges them sometimes to leave the men to themselves when on the works, or merely under the charge of a ticket-of-leave constable. 2ndly. The nature of the work has not always permitted of task-work being introduced; when this system, however, has been in force, the men have worked very fairly. And 3rdly and lastly, it must be borne in mind that as no good man finds any difficulty in obtaining private employment in Perth (66 having been hired out of the depôt during the last half-year), the men at Mount Eliza are generally the refuse of all the other depôts in the colony.

The following statement shows the average number of men in dépôt during each month, from June to December, and the average number per day on the works :—

In July.—Average number of men in dépôt each day	-	-	-	27
Average number of men on works	-	-	-	17
August.—Average total number of men in dépôt	-	-	-	37
" " " " works	-	-	-	24
September.—Average total number of men in dépôt	-	-	-	45
" " " " works	-	-	-	28
October.—Average total number of men in dépôt	-	-	-	29
" " " " works	-	-	-	15
November.—Average total number of men in dépôt	-	-	-	24
" " " " works	-	-	-	10
December.—Average total number of men in dépôt	-	-	-	31
" " " " works	-	-	-	15

This shows that the number of men available for the works has been very little more than half of the total number of men in dépôt. Some of the non-effectives for work are of course the cooks, orderlies, &c.; but the greater part are sick men and men on pass. Many of the sick men were found by the doctor to be malingering.

The King George's Sound Road Party is the only other ticket-of-leave work to be mentioned. This road is being opened by a ticket-of-leave party under Mr. Assistant Superintendent Gregory, assisted by a party of colonial prisoners under Mr. Vincent, the gaoler.

These men, from receiving a much higher rate of pay than the ticket-of-leave men at other depôts (which, however, they well deserve), and from the very active superintendence of the officials placed over them, have worked exceedingly well. I explained fully in my report, dated 23rd January 1854, the causes of discontent among those men.

As regards the work, they have been out only six months; their numbers averaged from forty to sixty men, and during that time, with the assistance of Mr. Vincent's party, which for some time consisted principally of natives, they cleared eighty miles of road, the first part through a very heavily-timbered country.

They have drained it partially in places, but not sufficiently, I fear, to make the road completely practicable during the ensuing winter.

However, the party in returning will do what they have left undone at present, the great object having been to open the line the whole way through to the sound; it is now, were it not for the great want of feed, a very good road for summer traffic.

Of the probation prisoner party employed on the Perth and Fremantle Road, a very good account can be given. These men have worked very well, as can be seen by what

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they have done. During the short time they have been on the road, viz. since the end of September last, they have cleared (it was partially cleared before, but the small shrubs had grown up again), levelled, and prepared for macadamization 3,490 yards of road 30 feet in width; they have quarried, collected, and broken 1,209 yards of stone, and have split 1,690 posts and rails for fencing.

Besides this, at Freshwater Bay station, the temporary dépôt, warders' quarters, &c., have been erected by men from Fremantle.

The number of men on the Fremantle Road at first averaged about sixty, but latterly the number has very much diminished, and it does not average more than thirty-five men on the works. As I see no prospect of the Perth end of the Fremantle Road being made by the ticket-of-leave men from Mount Eliza, it would be a good thing if a party of "probation prisoners" were stationed, if practicable, at Sutherland Bay. The present road along the riverside is very bad.

I have, &c.,
(Signed) W. CROSSMAN, Lieut., R.E.

The Honourable the Comptroller-General,
&c. &c. &c.

APPENDIX G.

Lieutenant Crossman, R.E., to the Honourable the Comptroller-General, reporting on the Works executed and in progress at Port Gregory.

Royal Engineer Office,

Perth, April 28th, 1854.

SIR,

I HAVE the honour to report that on my late visit to Champion Bay and Port Gregory I inspected the works in progress, and those already executed by ticket-of-leave men in dépôt at the latter place.

The superintendent's office, a room 15 feet by 12 feet, and dépôt store, 24 feet by 12 feet, have been completed.

Two warders quarters, each 15 feet by 12 feet, and under the same roof, are the only other buildings finished near the dépôt.

Two pensioners cottages, each containing two rooms 12 feet square, at the pensioners village, from the dépôt three miles, have been built and handed over to the serjeant.

A limekiln has been constructed close to the dépôt.

A well, 55 feet deep, was also sunk, but the water was found so very brackish that they are now obliged to get their water from another well about a quarter of a mile higher up, on the right bank of the Hutt river.

The walls of the Commissariat store, 24 feet by 12 feet, and office, 13 feet by 12 feet, as also of the medical attendant's room, 12 feet by 12 feet, and overseer's quarters, 15 feet by 12 feet, have been built, and are ready to receive their roofs, the timber for which must be sent from Fremantle.

There still remain to be erected, before the dépôt buildings are completed, the dépôt and out-houses, the hospital and lock-up.

Stone and lime can be obtained very easily. There is a large hill of limestone suitable either for building or burning close behind the dépôt.

Rushes for thatching can be procured at a short distance from it, either in the bed of the river or from the Hutt lagoon.

There is no timber, however, in the district suitable for building purposes, and it must all be sent from Fremantle.

This scarcity of timber, taking into consideration the heavy freight now charged by owners of vessels on this coast, and the expense of cartage from the port to the dépôt, a distance of six miles over a very bad road, is the cause of the great expense of the buildings at Port Gregory, compared with those in other parts of the colony.

Pensioners cottages, for which 15*l.* is the allowance in other places, cannot be built there under 24*l.* or 25*l.*

If the Commissariat were to purchase a cart and horses, instead of hiring transport, as at present, the expense would be greatly diminished.

In road-making little or nothing has been done. The road in front of the dépôt, one of the streets of the future town of Lynton, has been cleared, and a small causeway has been made across a part of the lagoon on the road to the port.

This road to the port, if it is the intention of government to send up any more men, is I conceive the work upon which, after the dépôt buildings are completed, all the available strength should be put. At present it is very bad, and in winter, I should imagine, almost impassable along the side of the lagoon; it will require time and labour to make it a good road, running as it necessarily does between shifting sandhills, and then over boggy ground; the part of it which runs over the sand hills, I doubt whether they will ever be able to improve much; but, however, any improvement will tend to diminish the expense of cartage, and be of great service to the district generally.

The dépôt buildings are of paramount importance, both on account of sanitary and disciplinary considerations, and I would recommend that nothing new be commenced till these are finished.

On the 25th March only eight men were available for the works ; and as most, if not all, of these men had been returned by their masters for laziness or inefficiency, it is impossible to expect that much can be done until a fresh batch are sent up.

A great many men were in hospital ; the sickness seems principally to have arisen from scarcity of vegetables. I would beg on this account to recommend that the superintendent be instructed to choose a plot of ground as a garden, and so be enabled to grow vegetables for the use of the depôt. The convalescents, of whom there will always be several in depôt (which is, in fact, hardly anything now but an hospital), might be employed in gardening as light work.

The superintendent will most probably have to go two or three miles up the south branch of the Hutt, before he finds a suitable piece of ground, but I conceive the consideration of health must counterbalance this disadvantage.

In conclusion, I would beg to observe that at present the ticket-of-leave depôt at Port Gregory is a place to which the Geraldine Mining Company and the few settlers in the district (not more than nine or ten between the Murchison and the Irwin,) find it convenient to send their men when they become incapacitated by sickness, or when they displease their masters.

I have, &c.,
(Signed) W. CROSSMAN, Lieut., R.E.

The Honourable the Comptroller-General,
&c. &c. &c.

WESTERN
AUSTRALIA.

No. 28.

No. 28.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the Right Hon.
Sir GEORGE GREY, Bart.

Government House, Perth, September 18, 1854.

(Received December 5, 1854.)

SIR,

I HAVE the honour to report the arrival of the Convict ship "Ramillies" on the 7th of August last under Surgeon Superintendent Doctor Ritchie, R.N., with 276 male prisoners and a guard of 30 pensioners, with 22 women and 42 children, on board.

Reg. No. 3441.
Samuel Frost.

One prisoner, as named in the margin, died on the passage.

I regret to state that on inspection of the ship by the Comptroller General this officer reported to me that he found the prison only tolerably clean, and not so well arranged as most of the convict ships he had inspected.

A serious omission has been made in the stores forwarded by this ship, no liberty clothing has been sent for the men who are entitled to ticket-of-leave, and I apprehend some delay and expense must occur in supplying them here. It will be necessary to keep them in the establishment at Fremantle until these arrangements are completed.

I have, &c.,
(Signed) CHARLES FITZGERALD.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Duke of NEWCASTLE to Governor
FITZGERALD.

(No. 33.)

SIR,

Downing Street, March 6, 1854.

I HAVE received your Despatch, No. 104, of the 19th of October last, accompanied by the minutes of the convict finance board for the quarter ended 30th September, 1853.

My attention has been attracted to that portion of the minutes which relates to an increase in the emoluments of Mr. Conroy, the superintendent of police. I had already referred for the consideration of the Lords Commissioners of the Treasury a Despatch from you dated the 19th of September, with a recommendation on my part that Mr. Conroy's salary may be increased from 200*l.* to 300*l.* per annum. And I have now to inform you that their Lordships assent to this increase, provided it be clearly understood that the same is to be defrayed from colonial funds or from the amount already granted by this country towards the expense of police and jails, and that no further charge in respect thereof is to be made upon the funds supplied by Parliament.

But the committee of officers recommend two other arrangements in his favour: First, they suggest that he should draw a full allowance for forage, instead of the reduced allowance which the Governor seems to have assigned to him in consequence of his having had a sum of money granted to him, on his first appointment, to purchase his horses. The sum allowed for forage is not a point on which it appears to me that there ought to be distinctions between one officer and another; and it is reasonable that the allowance should be such as fairly to cover the keep of a horse. I approve, therefore, of Mr. Conroy's being allowed the same amount for forage as other officers, and I do not think that the small sum granted for the purchase of his horses, at the outset of his duties, to an officer receiving so low a salary as 200*l.*, affords any good ground for interfering with his forage allowance.

The committee of officers further recommend that Mr. Conroy should be allowed 100*l.* per annum for travelling expenses. On this point, however, I have to refer you to the decision conveyed in my Despatch of the 30th of June last,* that, for the present, officers should only be allowed such expenses as may be actually incurred by them in travelling on the public service, in preference to adopting a fixed scale for such expenses.

Governor Fitzgerald,
&c. &c.I have, &c.
(Signed) NEWCASTLE.

No. 2.

No. 2.

COPY of a DESPATCH from the Duke of NEWCASTLE to Governor
FITZGERALD.

(No. 34.)

SIR,

Downing Street, March 7, 1854.

I HAVE had under my consideration your Despatch, No. 67, of the 22nd of August last, accompanied by certain appropriation Ordinances and by the usual colonial estimates for the year 1854.

* Page 238 of Papers on Convict Discipline, presented to Parliament by Her Majesty's Command, July 18, 1853.

In these estimates you have duly provided for all the expenses of which in your Despatch, No. 65 of the 27th of April 1852, you undertook to relieve the parliamentary vote, from the commencement of the financial year 1854. You have acted very properly in taking that course; but in my Despatch No. 115* of the 3d of October 1853, I explained to you the general grounds on which I considered that the colony, of which the resources were in course of being so rapidly improved by the introduction of convicts, should relieve the country as soon as possible of all civil charges not connected with the presence and management of convicts; and I prepared you to expect that further reductions would be made in the parliamentary vote for the approaching financial year, if the returns of the colonial revenue should continue to exhibit the same satisfactory progress.

This has in fact been the case. For the year 1852, the time when you proposed the reductions embodied in your Despatch of April 1852, the estimated revenue was only 14,370*l*; the actual revenue, however, proved to be much larger, and amounted to 25,688*l*.; while for 1853 and for 1854 it is estimated at 27,870*l*. and 31,660*l*. respectively. In other words, the estimated revenue for the current year is more than double the estimated revenue at the time when you proposed the reductions of the parliamentary vote which have been provided for in the appropriation Ordinance of the colony for the present year; and this great increase of revenue is attributable almost wholly to the results of the large expenditure made by Great Britain upon the introduction and maintenance of convicts. It cannot be denied, therefore, that the parliamentary vote towards defraying the civil expenses of the colony ought to be reduced further than appeared proper at the time when the estimated revenue did not reach half its present amount.

Under these circumstances I shall feel it necessary to omit the following items from the estimate to be submitted to Parliament this year:

First. The remainder of the cost of the Colonial Secretary's department, namely, 462*l*. 10*s*.

Secondly. The sum of 600*l*. for resident magistrates. I have already commented on this payment in my Despatch No. 142† of the 12th December, 1853, but in replying to your Despatch transmitting the estimate for the convict service, I shall explain more particularly the limits of the contribution which this country can make towards the police and magistracy of Western Australia; and it will be for the colony to provide on the spot for any balance of expenditure beyond that amount.

Thirdly. The salaries and allowances of protectors of aborigines, amounting collectively to 778*l*. I perceive from your Despatch that the amount of the Land revenue having hitherto been small, it has been the practice to place it among the other ways and means at the disposal of the local legislature. This has not in itself been regular, and the proper course to be taken on this point in future will form the subject of another communication from me. In the meanwhile I have merely to state that no charge falls more correctly and legitimately on the land revenue than any provision requisite for the good treatment of the aborigines who were the first occupants of the soil; and this revenue being appropriated in the present year to the general uses of the colony, it is only right that the salaries and allowances of the protectors should be defrayed out of its general resources.

The three items, therefore, to be omitted from this year's parliamentary estimate will be as follows:—

				£
Colonial Secretary's Department	-	-	-	462
Resident Magistrates	-	-	-	600
Protector of Aborigines	-	-	-	778
				£ 1,840

* Page 262 } of Papers on Convict Discipline, presented by Her Majesty's Command, May 1854.
† Page 265 }

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Seeing that there is an estimated balance in the colony of more than 2,000*l.* at the end of 1854, and likewise that the different branches of revenue may not improbably again prove more productive than has been calculated beforehand—as well as that the large amount which you have estimated for works and buildings, can hardly fail to admit of reduction in case of necessity—I feel every reason to anticipate that the colony will be able to provide without difficulty for the additional charges to be thus transferred to it from the parliamentary grant.

On the other hand, considering the increasing duties of the governors and the general rise in the expenses of living in Western Australia, I shall be prepared to recommend an increase of 500*l.* to the Governor's salary, making its amount 1,800*l.* With these changes the estimate to be submitted to Parliament will consist of the following items:—

	£
Governor - - - - -	1,800
Judge - - - - -	200
Advocate General - - - - -	200
Allowance to the Officer commanding the Troops -	183
	£ 2,383

I consider that there is no longer any occasion for keeping up the appointment of an officer specially in command of the troops, and I shall make the necessary communication to the General Commanding in Chief for the abolition of the appointment. You will convey this intimation to Lieut. Colonel Irwin, and the effect of it will be that the concluding item in the estimate will not re-appear after the end of the approaching financial year. Subject to these remarks I see no objection to the Colonial Estimates transmitted by you, and I have to acquaint you that Her Majesty has been pleased to confirm the Appropriation Ordinances, received in your present Despatch.

Governor Fitzgerald,
&c. &c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 3.

No. 3.

COPY of a DESPATCH from the Duke of NEWCASTLE to
Governor FITZGERALD.

(No. 41.)

SIR,

Downing Street, March 28, 1854.

I HAVE had under my consideration your Despatch, No. 109, of the 18th November last, accompanied by certain schedules of alterations of salary, appointments to offices, and special payments.

I have forwarded these papers to the Lords Commissioners of the Treasury for their information.

With regard, however, to the several appointments enumerated in one of these schedules of men to be night warders, I have to remind you that you have not yet furnished the explanation which was called for by my Despatch, No. 3,* of 1st January 1853, upon the particulars of the saving which you had stated that you would effect by the substitution of this class of officers for the pensioner force, which it had been previously necessary to employ for the performance of similar duty.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 4.

No. 4.

COPY of a DESPATCH from the Duke of NEWCASTLE to
Governor FITZGERALD.

(No. 55.)

SIR,

Downing Street, April 22, 1854.

I HAVE received your Despatch, No. 12,* of the 18th of January last, * Page 112. accompanied by a memorial from certain heads of families at Fremantle, expressing alarm at the limited amount of the military force available for the preservation of order and the protection of the inhabitants.

I entirely approve of the remarks which you have made in forwarding this memorial. You will acquaint the memorialists that Her Majesty's Government are not prepared to make any addition to the military force in Western Australia.

With regard to the equipments of the police, adverted to at paragraph 5 of your Despatch, I shall communicate with the Lords Commissioners of the Treasury, suggesting that if the articles should not yet have been furnished, they should now be withheld, as similar articles had been purchased in the colony; but, should they be gone, I do not apprehend that any loss will accrue to the public service, as no long time can elapse without a further demand for stores of this kind.

I have, &c.

Governor Fitzgerald,
&c. &c. &c.

(Signed) NEWCASTLE.

No. 5.

No. 5.

COPY of a DESPATCH from the Duke of NEWCASTLE to
Governor FITZGERALD.

(No. 60.)

SIR,

Downing Street, May 1, 1854.

I HAVE received your Despatch, No. 7,* of the 16th of January last, * Page 111. accompanied by certain resolutions passed at a public meeting at Fremantle, deprecating the supposed intention of Her Majesty's Government to transfer to Western Australia re-convicted felons of the worst class from the neighbouring colonies; and also expressing a wish for the presence of regular troops.

I have to authorize you to contradict, as unfounded, the rumour that Her Majesty's Government contemplates the transfer to Western Australia of re-convicted convicts of the worst stamp from the neighbouring colonies. I cannot hold out any prospect that an additional number of regular troops will be sent to the colony. It is to be borne in mind that not only may the services of the military pensioners in the colony be obtained, as is now done, as volunteers in ordinary times, but that in case of emergency and danger to the community, the whole body of pensioners are bound to come forward, on the requisition of the governor, for the preservation of peace and order.

I have, &c.

Governor Fitzgerald,
&c. &c. &c.

(Signed) NEWCASTLE.

No. 6.

No. 6.

COPY of a DESPATCH from the Duke of NEWCASTLE to
Governor FITZGERALD.

(No. 62.)

SIR,

Downing Street, May 8, 1854.

I HAVE had under my consideration your Despatch No. 1* of the 4th of * Page 107. January last, urging the want of a colonial vessel, for the purpose of keeping up the necessary communication with the outlying stations.

You are mistaken in supposing that a vast addition is contemplated to the number of convicts in Western Australia, and that therefore the numbers to be

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disposed of at remote stations will be much increased. Considering the large cost, formerly, of a colonial vessel, and also the signal mismanagement which, I regret to say, took place when last the Colonial Government was entrusted with the power of procuring one, Her Majesty's Government are not disposed to repeat the experiment. By the latest returns which I have found on record in this office, the number of convicts at the present remote stations are :

Bunbury	-	-	-	54
Port Gregory	-	-	-	17
Albany	-	-	-	68

I do not underrate the value of having hiring depots for convicts in different parts of the colony, nor the convenience which this must afford to distant settlers, but this convenience is one which must not be purchased too dearly. If, therefore, the expense of transport by casual opportunities continue to be so heavy as you have shewn, the proper remedy will be to break up the outlying convict depots, and leave it to the settlers to seek for themselves, at head quarters, the convicts whose services they require, and to provide, at their own charge, for the conveyance of the men to the place where they are to be employed. You will adopt this measure, if necessary, as Her Majesty's Government cannot permit any disproportionate expense to be incurred merely for the purpose of enabling colonial farmers to select their convict servants nearer their homes than would otherwise be the case.

Governor Fitzgerald,
&c. &c. &c.

I have, &c.
(Signed) NEWCASTLE.

No. 7.

No. 7.

COPY of a DESPATCH from the Duke of NEWCASTLE to
Governor FITZGERALD.

(No. 64.)

SIR,

Downing Street, May 26, 1854.

I HAVE received your Despatch, No. 6,* of the 16th of January last, accompanied by a report showing the resignation or dismissal of numerous warders in the convict establishment.

I have to inform you that eight warders of good character have been selected from the convict prisons in this country, and will be embarked for Western Australia, in the ship "Esmeralda," about the 20th of next month, and that four other warders will be sent out in the next convict ship which proceeds to the colony.

Governor Fitzgerald,
&c. &c. &c.

I have, &c.
(Signed) NEWCASTLE.

P.S. A list of the officers is enclosed. Their appointments are to date from the 10th of next month.

* Page. 109.

Enclosure in No. 7.
List of Eight Officers in the Convict Establishment at home who have accepted appointments on the Convict Establishment in Western Australia.

Name.	Prison.	Date of Appointment.	Present Pay.	Date of Next Increase.	Age.	Married or Single.	Number of Children, Age and Sex.		Merits—Governors' Remarks.
							Boys.	Girls.	
Samuel Rose -	"Warrior" Hulk, Woolwich.	12th Jan. 1847.	£ s. d. 61 5 0	1st April 1855.	34	Married.	2, 4½ and 2 years.	1, four mths.	Very good.
Henry Cook -	"Defence" Hulk, Woolwich.	1st Jan. 1848.	60 10 0	1st March "	38	"	—	1, five years.	Zealous and competent, favourably reported to Secretary of State.
John Hawkins -	"	6th March "	61 0 0	1st April "	42	"	1, 8 years.	1, eleven yrs.	Zealous and competent.
Henry Cornish -	"Stirling Castle" Hulk, Gosport	9th July 1852.	53 0 0	1st July 1854.	39	"	1, 1½ years.	—	Intelligent.
Richard Pannell -	Portsmouth.	8th Jan. 1853.	53 0 0	1st Jan. 1855.	22	"	—	—	Very steady, well conducted.
Richard Harris -	"	1st Sept. "	52 0 0	1st Sept. 1854.	32	"	—	—	Ditto ditto.
Michael Maher -	"	1st October "	52 0 0	1st October "	30	"	—	—	Ditto ditto.
George Haynes -	"	7th October "	52 0 0	1st October "	34	"	—	—	Ditto ditto.

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No. 8.

No. 8.

COPY of a DESPATCH from the Duke of NEWCASTLE to GOVERNOR FITZGERALD.

(No. 67.)

SIR,

Downing Street, June 5, 1854.

WITH reference to that part of your Despatch, No. 122* of the 20th of December last, which recommends that no convicts should be sent out with tickets of leave, but that they should undergo at least a short period of imprisonment in the colony before enjoying that indulgence, I enclose, for your information, the copy of a letter from the chairman of the directors of convict prisons, by which you will observe that your suggestion will be attended to as far as practicable. You will distinctly understand, however, that the exigencies of the public service must be consulted in this matter, and that it is impossible to hold you out any positive expectation that parties of convicts may not be occasionally sent out with a claim to receive tickets of leave at the moment of landing in the colony.

13th May 1854.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) NEWCASTLE.

Encl. in No. 8

Enclosure in No. 8.

SIR,

45, Parliament Street. May 13, 1854.

I HAVE to acknowledge the receipt of your letter dated the 10th May, enclosing a letter from Mr. Merivale, forwarding an extract of a Despatch from the Governor of Western Australia, recommending that convicts should not be sent thither with tickets of leave, but that they should be subjected to a short term of imprisonment in the colony before receiving that indulgence.

In reply, I beg to state, that on any future occasion of convicts being embarked for Western Australia, I will attend to the wishes of his Grace the Duke of Newcastle, by selecting such cases as will be eligible for a ticket of leave after undergoing a certain term of imprisonment in that colony.

I should however observe that, in order to carry out this arrangement, it may be necessary to pass over for release in this country some who have already served a sufficient time to render them eligible for tickets of leave on landing.

H. Waddington, Esq.
&c. &c.

I have, &c.
(Signed) J. JEBB.

No. 9.

No. 9.

COPY of a DESPATCH from the Duke of NEWCASTLE to GOVERNOR FITZGERALD.

(No. 68.)

SIR,

Downing Street, June 6, 1854.

I HAVE had under my consideration your Despatch, No. 116,* of the 1st of December last, respecting the salary of Mr. Dixon, the superintendent of the convict establishment, and also of the salaries of the steward and principal warder. These officers appeal to the scale at the establishment of Portland, in England, and claim that their salaries should be put on a similar footing, and you recommend their applications to favourable consideration.

I cannot, however, at all admit that the officers in Western Australia should look to the scale of any particular establishment, which they may select for the purpose, in England, and should consider themselves entitled to claim corresponding salaries in the colony. When they were appointed to Western Australia, their emoluments were fixed on a general consideration of all the circumstances of the case, and were duly communicated to them at the time when they were named to their respective situations.

I am unable to grant an augmentation of the salary of the principal warder and the steward.

*Page 228 of Papers on Convict Discipline, presented to Parliament by Her Majesty's command, May 1854.

Mr. Dixon's case is one with which I am prepared to deal differently, although not on the ground of a comparison with the emoluments received by officers in England, but on its own merits. Seeing the great increase in the number of prisoners committed to his charge, and the excellent order which he is uniformly reported to have maintained amongst them amidst numerous difficulties, the Lords Commissioners of the Treasury have agreed to my recommendation, that he should be allowed a salary of 400*l.* per annum, from the commencement of the next financial year, namely, 1st of April 1855. This will be double the salary with which Mr. Dixon went out, he has already received two successive additions to that original salary; and whilst I am glad to manifest my sense of his services by the present addition, I must express my expectation that Mr. Dixon will remain satisfied with it, and will distinctly understand, that the salary of the superintendent of the prison cannot receive any further addition.

I have, &c.

Governor Fitzgerald,
&c. &c.

(Signed) NEWCASTLE.

No. 10.

No. 10.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 1.)

SIR,

Downing Street, June 15, 1854.

WITH reference to my Despatch, No. 64,* of the 26th ultimo, I have to acquaint you that an advance of four months' full pay has been made to the eight warders who have been selected to proceed to Western Australia in the ship "Esmeralda;" the amount having been calculated according to the present rate of their respective salaries, of which a schedule accompanied my Despatch to you above referred to.

* Page 206.

I have, &c.

Governor Fitzgerald,
&c. &c.

(Signed) G. GREY.

No. 11.

No. 11.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
Governor FITZGERALD.

(No. 2.)

SIR,

Downing Street, June 20, 1854.

I HAVE to inform you that the senior of the different prison officers sent out on board the "Esmeralda," named Samuel Rose, appears to have been for several years a full warder in this country. The whole of them have been appointed, in the terms embodied in the printed memorandum attached to this Despatch, as assistant warders, but as Samuel Rose has so long been a full warder in England, and bears an excellent character, I think that it would be desirable to take one of the earliest opportunities of placing him in the same rank to the colony. I enclose, for your information, the extract of a letter sent to this officer, containing the intimation which has been made to him on the subject.

I have, &c.

Governor Fitzgerald,
&c. &c.

(Signed) G. GREY.

Enclosure in No. 11.

Encl. in No. 11.

PAY and ALLOWANCES of PERSONS appointed to the Office of Assistant Warder on the
Convict Establishment in Western Australia.

1. The salary will commence at 52*l.* with an increase, contingent upon good conduct, of 1*l.* per annum, until it reaches the sum of 62*l.*

2. If the person selected has been serving in a like capacity in the prisons in this country, and has already become entitled by length of service to a higher salary than 52*l.*, he will

D d

continue to receive the same, and the future yearly additions to his salary until it reaches its highest amount will date from the same periods as if he had remained in the home service.

3. He will be allowed a free passage to the colony for himself, and also for his wife and family, if he have any, and they will severally be supplied with rations on board.

4. His full salary will commence from the date of his appointment, and he will be allowed rations for himself, after his arrival in Western Australia, but not for his wife or family.

5. He will receive from Mr. Barnard, the colonial agent general, whose office is at No. 5, Cannon Row, Westminster, and to whom he will make application for that purpose personally or in writing, an advance of four months' salary, to enable him to provide himself with the necessary outfit, on his signing an agreement to guard the public against loss in the event of his relinquishing his appointment or failing to proceed to his destination.

6. No allowance for rations can be granted from the period of his receiving his appointment to the date of his embarking for his destination.

7. In addition to the foregoing salary, assistant warders are for the present allowed in Western Australia, an extra salary at the following rates:—

Officers whose pay is under 60 <i>l.</i> a year	-	-	9 <i>l.</i>	2 <i>s.</i>	6 <i>d.</i>
Officers whose pay is 60 <i>l.</i> and upwards	-	-	12 <i>l.</i>	3 <i>s.</i>	4 <i>d.</i>

But this extra salary is only granted in consideration of high prices which have prevailed in the colony; it is merely considered as an indulgence, and is not intended to be permanent, and it is only payable to officers, after they actually arrive in the colony, and will not form part, therefore, of the advance of salary made in this country.

8. The baggage allowed on the passage out, does not exceed half a ton, or 20 cubic feet in size, for each grown person; two children under fourteen years of age, being considered equal to one grown person. No furniture can be taken on board.

9. If the passage be granted in a convict ship, as is usually the case, the assistant warder is expected to make himself useful during the voyage, in the management of the convicts, and is in all respects to consider himself under the orders of the surgeon-superintendent.

EXTRACT of a Letter to Mr. Samuel Rose, dated, Downing Street, June 20, 1854.

"I AM also to inform you, that all the officers named to the establishment in Western Australia are appointed in the terms embodied in the printed memorandum which has been communicated to you, and therefore as assistant wardens, but that vacancies are constantly occurring in the establishment in the colony, and that the Governor will be apprized of your having held the rank of warder in this country, and will doubtless be well disposed to consider your claim to the appointment of a full warder at one of the earliest opportunities in his power.

"Mr. Samuel Rose."

No. 12.

No. 12.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 4.)

SIR,

Downing Street, June 30, 1854.

I HAVE had under my consideration your Despatch, No. 119,* of the 5th of December last, accompanied by a correspondence relative to the question whether there should be any distinction in the number of holidays granted to Protestant and Roman Catholic convicts in the convict establishment in Western Australia.

I approve of the decision which you have adopted, to admit of no distinction on the subject, and to decline adding to the established number of holidays. No other holidays are recognized by law or by the rules in force in England, with reference to the employment of prisoners, than Sundays, Good Friday, and Christmas Day, and any day appointed for a general fast or thanksgiving, and serious inconvenience would result from the adoption of a different practice in the convict establishment in Western Australia.

I have, &c.

Governor Fitzgerald,
&c. &c.

(Signed) G. GREY.

* Page 100.

No. 13.

WESTERN
AUSTRALIA.

No. 13.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
GOVERNOR FITZGERALD.

(No. 8.)

SIR,

Downing Street, July 19, 1854.

In answer to your Despatch No. 123* of the 23rd December last, respecting the mode of accounting for convict's earnings, I transmit to you for your information an extract of a report from the Commissioners of Audit. In conformity with the suggestions of the Board of Audit, the Lords Commissioners of the Treasury have instructed the officer in charge of the commissariat in Western Australia to undertake the collection and custody of all monies belonging to the convict department, and to furnish to the comptroller general, on monthly requisitions, such sums as he may require for disbursements; the pay list being rendered monthly in discharge of the sums advanced by the commissariat. Their Lordships however remark, that some of the sums collected are received at stations and places where there is no commissariat officer, and that in those cases it will be necessary that the collections should continue to be made in the same manner as at present, the money being paid over to the commissariat instead of to the comptroller general as at present.

* Page 103.

June 23, 1854.

I have to acquaint you that the returns alluded to in the extract of the auditors' report need not be transmitted to this office, but that, after their examination by the governor, they may be delivered to the chief officer of commissariat, to be attached to his accounts for convict service.

I have, &c.

Governor Fitzgerald,
&c. &c.

(Signed) G. GREY.

Enclosure in No. 13.

Encl. in No. 13

EXTRACT of a Report from the Commissioners of Audit to the Lords Commissioners of Her Majesty's Treasury, dated, Audit Office, Somerset House, London, June 23, 1854.

"With respect to Western Australia, the returns prepared by the comptroller general, and which accompany the Governor's Despatch, are precisely the documents with which we think we should be furnished.

"The Governor states that it is his intention to forward these returns to the Secretary of State for our information, but unless the Secretary of State should wish to inspect them, we would suggest that, after their examination by the Governor, they might be delivered to the commissariat officer, to be attached to his accounts for convict service, as we have proposed in the case of Van Diemen's Land.

"As regards the private wages of convicts in this colony, it appears from the Despatch that the convict regulations affecting protection pass holders, to which we referred in our report of the 14th February 1853, are not in force in Western Australia, and consequently that no monies have accrued to the Crown; but as it may hereafter be found advisable to place monies belonging to convicts in the hands of the comptroller general, we conclude that the governor will call upon that officer to exhibit to him returns of such receipts and of the payments made therefrom, in which case such returns might also be handed over to the commissary to accompany his accounts for convict services.

"With reference to the suggestion of the Governor of Western Australia, that pecuniary responsibility connected with the convict accounts should be transferred, so far as may be possible, from the comptroller general to the commissariat officer, we submit that we may be informed of any directions your Lordships may think fit to give on the subject."

WESTERN
AUSTRALIA.

No. 14.

No. 14.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No 10.)

SIR,

Downing Street, July 22, 1854.

* Page 118.

I COMMUNICATED to the Lords Commissioners of the Treasury a copy of your Despatch No. 28,* of the 20th of February last, recommending for the reasons there stated, that Dr. Galbraith, the chief military surgeon in Western Australia, should be appointed principal and visiting medical officer over the whole of the medical department of the convict service in the colony, with an allowance of five shillings per diem, and payment of his travelling expenses.

I have to acquaint you that their Lordships have informed me in reply, that they will not object to the employment of Dr. Galbraith in the manner proposed, at a salary of five shillings a day, with such expenses as may actually be incurred by him in travelling on this service; the arrangement however, to be subject to reconsideration on any future revision of the convict establishment, or upon receipt of further information from the colony as to the necessity of continuing the appointment.

Governor Fitzgerald,
&c. &c.

I am, &c.
(Signed) G. GREY.

No. 15.

No. 15.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 13.)

SIR,

Downing Street, July 25, 1854.

* Page 119.

I HAVE had under my consideration your Despatch, No. 30,* of the 6th of March last, on the subject of the convicts' ration in Western Australia.

This subject appears to have been very fully inquired into by the two successive boards of officers which you appointed for its investigation. As the ration recommended by the second of the two boards has met with your concurrence and is not objected to by the comptroller general on grounds of discipline, I approve of its adoption, subject to any further reductions in the scale which experience may hereafter suggest.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) G. GREY.

No. 16.

No. 16.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 21.)

SIR,

Downing Street, August 28, 1854.

August 9, 1854.

I TRANSMIT to you herewith the copy of a letter from the Board of Treasury, enclosing copy of a report from the commissioners of audit, relative to the responsibility of the superintendent of convicts in Western Australia, with regard to articles required for the use of the convict prisons.

I have informed the Lords Commissioners, that this department does not possess the means of supplying the information called for by their Lordships; and I have to instruct you to furnish me with an early report on the several points adverted to by the commissioners of audit.

Governor Fitzgerald,
&c. &c.

I am, &c.
(Signed) G. GREY.

Enclosure in No. 16.

Encl. in No. 16

SIR,

Treasury Chambers, August 9, 1854.

I AM commanded by the Lords Commissioners of her Majesty's Treasury, to transmit the accompanying copy of a report from the commissioners of audit as to the responsibility of the superintendent of convicts in Western Australia for the receipt, issue, and disposal of all provisions and stores required for the use of the convict prison; and I am to request that you will submit the same to Secretary Sir George Grey, with reference to any information he may have received from the Governor of Western Australia, and with reference to any instructions he may be about to give to that officer on the subject.

Herman Merivale, Esq.
&c. &c. &c.

I am, &c.,
(Signed) C. E. TREVELYAN.

Sub-Enclosure to Enclosure in No. 16.

Sub-Encl. to Enc
in No. 16.

Audit Office, Somerset House,
London, July 27, 1854.

MY LORDS,

In obedience to your Lordships' order of reference of 16th-17th June last, we have had under consideration a letter from Assistant Commissary General Mends, dated Western Australia, 2nd March 1854, transmitting a correspondence relative to a question which had been raised by the superintendent of convicts as to his responsibility, "for the receipt, issue, and disposal of all provisions and stores required for the use of the convict prison."

It appears that the steward at the prison at Fremantle acts under the orders of the superintendent, and that it is his peculiar province to attend to the receipt and issue of provisions and stores; and the superintendent states in his letter to the comptroller general, dated 18th February, that the "approved instructions" for the guidance of himself and the steward, clearly establish that the responsibility attaches to the steward, and that the steward is a public accountant. The instructions here referred to have not been furnished to us; we are consequently ignorant of the precise duties which have been assigned to each office; but admitting as a principle that the person in whose immediate custody stores are placed, and by whom they are issued, is the proper person to account—nevertheless, as it appears from Mr. Mend's communication that "the superintendent is cognizant of every transaction, and that nothing is done by the steward, but under his orders and with his sanction"—we cannot but coincide in opinion with Mr. Mends, that it would afford greater security to the public were the superintendent, as the principal officer, to be held responsible and to account, and such responsibility would have the effect of calling from him a strict supervision of the acts of his subordinate officer.

Upon referring to these prison store accounts (which have only been received up to 31st July 1853), we find them to be monthly returns showing the aggregate amounts of provisions, fuel, and soap, received and issued during the month, the same being signed by the steward and certified by the superintendent; and these returns form vouchers to the store accounts of Assistant Commissary General Mends for convict service.

The superintendent states that he certifies to these returns on the verbal statement of the steward as to their accuracy; but we presume it must form part of his duty to investigate the books and vouchers of the steward, and such an investigation (which is required from the governors of the convict prisons in this country), would we conceive, enable the superintendent to satisfy himself as to the correctness of the returns.

It would appear from the superintendent's letter to the comptroller general of the 18th February that he entertains some doubts with respect to his subordinate officer, as may be inferred from the following passage, "neither is there any similitude in the circumstances of the agent we individually employ. He (the commissary) has to do with respectable and responsible officers; I, with more questionable materials." This consideration may be taken as a further reason for not placing the responsibility upon the present subordinate officer, and as it is a very important point, we would submit to your Lordships that the attention of the Governor (with whom such appointments rest) might be drawn to the superintendent's statements, and also to the expediency of persons on their appointment to offices of trust being required to give security for the faithful discharge of their duties. Your Lordships will perceive from the papers, that it was the intention of the Governor to refer the question of responsibility for the consideration of the Secretary of State, but that, pending the reference, the responsibility was to rest with the superintendent.

We also observe that stress is laid in these papers upon the want of proper store accommodation, but the attention of the Governor having been directed to it both by the comptroller general and Mr. Mends, we conclude that the proper measures have since been taken to remedy the inconvenience complained of.

We beg leave to return the papers.

We have &c.
(Signed) EDWD. ROMILLY,
CHARLES ROSS,
W. L. MABERLY

WESTERN
AUSTRALIA.

No 17.

Copy of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 22.)

SIR,

Downing Street, August 29, 1854.

* Page 114.

I HAVE received your Despatch, No. 25,* of the 18th of February last, enclosing the return called for, showing the number of clergymen of different religious persuasions paid out of convict funds in the colony under your government, and recommending that certain additional stipends and allowances should be given to those of the Roman Catholic religion, whereby the total amount of allowances for the religious instruction of Roman Catholic convicts would be raised to 680*l.* per annum.

Having communicated a copy of this Despatch for the consideration of the Lords Commissioners of the Treasury, I have to acquaint you that their Lordships have informed me in reply that the sum thus proposed appears to them to exceed considerably the charge that should be made for services of this description.

Their Lordships are willing to admit that peculiar circumstances may have justified these allowances as a temporary measure, and they will not object to their being charged upon convict funds for the present year, as it would be difficult to send out instructions which would insure their cessation at an earlier period. I have however, in conformity with their request, to instruct you to take care that these additional allowances are not continued beyond the time specified by their lordships.

Governor Fitzgerald,
&c. &c.

I am, &c.
(Signed) G. GREY.

No. 18.

No. 18.

Copy of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 24.)

SIR,

Downing Street, September 1, 1854.

* Page 118.

I have received your Despatch No. 29* of the 6th of March last, requesting instructions as to the fee which medical officers who are already in the employment of the Government in other departments should be allowed on account of any aid they may render to the convict department.

Having communicated on the subject with the Lords Commissioners of the Treasury, I have to acquaint you that their Lordships have informed me in reply that they consider that the fee to be allowed for services of this description should be limited to five shillings per diem, unless in very special circumstances, where the medical officers so employed may be subject to expense in the performance of the duty.

You will accordingly guide yourself by this decision for the future in any payments which may be authorized on this account.

Governor Fitzgerald,
&c. &c.

I am &c.
(Signed) G. GREY.

No. 19.

No. 19.

Copy of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 29.)

SIR,

Downing Street, September 21, 1854.

* Page 142.

I HAVE received your Despatch, No. 49,* of the 29th of April last, reporting the arrival of European convicts from Bombay, and requesting instructions as to the mode of dealing with them.

2. I have to inform you that the East India Company have been apprized that it will no longer be in the power of Her Majesty's Government to afford the Indian Government the accommodation of being able to transport civil convicts to any of Her Majesty's colonies. No further convicts, therefore, except soldiers, are intended to be sent to Western Australia from India, and if any

such should arrive, you will report the circumstances to me. In the meanwhile I have to instruct you that the two convicts referred to in your Despatch are to be dealt with, according to the terms of their sentences, in the same manner as if they had been transported from England; but that you are to keep an account of their annual cost to the Government, and are to apply to the Government of Bombay for the amount in order that it may be paid into the commissariat chest to the credit of the funds available for convict services.

WESTERN
AUSTRALIA.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) G. GREY

No. 20.

No. 20.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 34.)

SIR,

Downing Street, October 27, 1854.

I HAVE had under my consideration your Despatch, No. 53,* of the 22d of May, reporting the number of convicts whom the colony could conveniently receive.

* Page 143.

This Despatch arrived too late to act upon it at the particular dates suggested by you. But I enclose for your information the copy of a letter addressed by my direction to the Home Department, by which you will perceive that, making allowance for the difference of time, I have substantially adopted your opinions and recommendations. You will communicate a copy of this letter to the Comptroller General in order that he may be in possession of the intention of Her Majesty's Government as to the despatch of convicts for some time to come.

28 October 1854.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) G. GREY.

Enclosure in No. 20.

Encl. in No. 20.

SIR,

Downing Street, October 28, 1854.

WITH reference to the concluding paragraphs of Mr. Merivale's letter to you of the 24th of April last, in which it was intimated that, owing to the large number of prisoners on the hands of Government in Western Australia, it would not be desirable to send any more for some months to come, I am directed by Secretary Sir George Grey to acquaint you for the information of Viscount Palmerston, that he has since received a report from the Governor on the number of convicts who can with propriety be introduced into the colony.

It appears that upwards of 700 convicts can be conveniently received without delay, leaving a suitable interval between the despatch of each vessel; and I am to request, therefore, that you will move Viscount Palmerston to take measures for immediately engaging one vessel for the conveyance of 270 prisoners to Western Australia, to be followed two months afterwards by another vessel conveying the like number, and by a third ship at the end of the next two months. It will be desirable that all of these should be prisoners destined to remain in confinement at least eight or twelve months before they become entitled to tickets of leave. It will be for Lord Palmerston to determine, according to the exigencies of the service, how far they should be selected from the prisons of this country or of Ireland respectively; but as soon as a decision is taken on this point Sir G. Grey would request to be informed of it as it may have an influence on some of the arrangements connected with the establishments of the colony. It is of great importance that the prisoners to be selected should be in good health and capable of performing hard labour.

Both the Governor and the comptroller general concur in considering it best that all convicts should, if possible, be sent out subject to a detention of some months in confinement after they reach the colony, and Sir G. Grey believes their opinion to be well founded; but, in case of any pressure in the prisons at home, they report that besides the above-mentioned number of men for the prisons, the colony would probably be able to absorb 300 ticket of leave holders.

H. Waddington, Esq.
&c. &c. &c.

I am, &c.
(Signed) T. FREDK. ELLIOT.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
GOVERNOR FITZGERALD.

(No. 35.)

SIR,

Downing Street, October 28, 1854.

* Page 145

I HAVE to acknowledge the receipt of your Despatch No. 54, of the 22d May* last, submitting the names of 184 convicts whom you recommend for the indulgence of conditional pardons, available everywhere save in the United Kingdom that being the country from whence they were transported; and I have received Her Majesty's commands for conveying to you Her authority for granting these pardons.

With reference to the last paragraph of your Despatch suggesting that, in order to obviate the delay which must otherwise occur in the case of convicts who would become eligible for conditional pardons within one year from the date of their arrival in the colony, there should be sent out with them the necessary authority for the issue of their pardons—I have to inform you that Viscount Palmerston approves of this arrangement, and that this course will be followed upon all future occasions.

The Queen is also pleased to allow of pardons being granted to the several convicts whose names appear in the separate list which likewise accompanies your Despatch, as having been transported elsewhere than from the United Kingdom; subject to the condition that they return neither to the United Kingdom nor to the place whence they were transported.

I have to point out to you, with respect to the military convict Gillespie, whose name was included in the separate list, that having been sentenced to ten years' transportation in August, 1850, half the term of his sentence will not expire until August 1855, and that in conformity therefore with the general rule on the subject, he must not receive his conditional pardon until that time.

Her Majesty is, however pleased to authorize you to postpone or entirely to withhold the grant of Her Majesty's pardon in any one or more of these cases in which it may appear to you that the person for whom it is designed shall have become unworthy of that benefit in consequence of any misconduct he may have committed subsequent to the date of your recommendation.

I subjoin lists of all the convicts to whom the benefit of the Queen's pardon is thus extended.

Governor Fitzgerald,
&c. &c.

I have &c.
(Signed) G. GREY.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
GOVERNOR FITZGERALD.

(No. 37.)

SIR,

Downing Street, November 5, 1854.

I HAVE to inform you that having received through the Lords Commissioners of the Treasury a representation from the chief officer of the commissariat in Western Australia of the necessity of providing some better commissariat buildings at King George's Sound, if the convict establishment at that place is kept up, I have acquainted their Lordships that, without further information from you, I cannot recommend this expense to be incurred.

The successive reports which arrive from the colony satisfy me of the undue amount of the charges which must be occasioned by maintaining distant depôts of convicts. I have to refer you to my predecessor's Despatch on this subject, No. 62,* of the 8th of May last; and seeing the imperative necessity of reducing the excessive amount of expenditure on convicts in Western Australia, I have to instruct you to abstain from sending any more to distant stations, and to concentrate the convicts in the establishments at Fremantle and its vicinity, leaving it to colonial farmers to send to head quarters for the ticket of leave men whom they may be willing to hire.

* Page 205.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) G. GREY.

No. 23.

COPY of a DESPATCH from the Duke of NEWCASTLE to Governor FITZGERALD.

(No. 39.)

SIR,

Downing Street, November 16, 1854.

I HAVE had under my consideration your Despatch, No. 120,* of the 6th of December last, requesting instructions on the course to be pursued with regard to convicts who express a desire to change their religion.

Page 101.

You are perfectly right in considering that the opportunities afforded by the confinement of a man in prison should not be rendered subservient to proselytism ; but I could not sanction the rule, which you have proposed, that no convict should be allowed to change his religion while an inmate of the prison. If such changes are the result of conviction, they may be allowed to take place in the prison as well as elsewhere.

But the prisoners being registered on their reception after due inquiry as belonging either to the Protestant or Roman Catholic faith, they should be left while in prison, as a general rule, to the exclusive charge of the chaplain of their registered denomination. It would be very unseemly that the chaplains of different persuasions should be contending with each other in the prison for the adhesion of proselytes to the number of their respective charges. Such a proceeding should therefore be prohibited.

In any special cases in which a convict may spontaneously declare his wish to change his religion, and in which he seems to be sincere in this desire, and to be actuated by a proper motive, no obstacle should be placed in his way. Such cases may safely be left to the discretion of the Comptroller General. Should any undue influence appear to have been exercised, the fact should be reported by him to the Governor of the colony.

I have, &c.

(Signed) NEWCASTLE.

Governor Fitzgerald,
&c. &c.

No. 24.

No. 24.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
GOVERNOR FITZGERALD.

(No. 41.)

SIR,

Downing Street, November 20, 1854.

I HAVE received your Despatch No. 37,* of the 21st of March last, reporting the circumstances under which, pending the receipt of an answer to your Despatch No. 123,* of the 23d of December last, which recommended the transfer of duties to the commissariat, you had temporarily appointed a person to act as cashier in the Comptroller General's department at a salary of 180*l.* per annum, and suggesting that a reduction of 20*l.* per annum should be made in the salary of the registrar, who has hitherto performed this duty, in consequence of the decreased responsibility which he would thus be called upon to incur.

* Page 137.

* Page 103.

I communicated a copy of your despatch for the consideration of the Lords Commissioners of the Treasury, and I now enclose, for your information, copies of the correspondence which passed upon the subject.

You will perceive that their Lordships agree to sanction payment of the salary of 180*l.* to the cashier appointed by you up to the date of your receipt of the instruction for the transfer of the duties contained in my Despatch No. 8,* of the 11th of July last, and that they also approve of the proposed reduction in the registrar's salary.

Colonial Office,
Oct. 12, 1854.
Treasury,
Nov. 6, 1854.

* Page 211.

I have, &c.

(Signed) G. GREY.

Governor Fitzgerald,
&c. &c.

WESTERN
AUSTRALIA.

No. 25.

No. 25.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 44.)

SIR,

Downing Street, November 28, 1854.

* Page 146.

I HAVE received your Despatch, No. 66,* of the 30th of June last, enclosing a letter from the Roman Catholic Bishop, complaining of the discontinuance, as directed by the Duke of Newcastle, of the house allowance assigned by you to the Roman Catholic Convict chaplain, and urging that a separate place of worship should be conceded for the use of the Roman Catholic prisoners.

You also transmit a report on the subject from the Comptroller General.

As the salary of the chaplain has recently been raised from one hundred to two hundred pounds per annum, I consider that this payment is sufficient remuneration without any further allowance for quarters, and I see the less reason for granting any addition on this account, as the large number of Roman Catholic prisoners on which the Bishop relies as the chief ground of his remonstrance against the Duke of Newcastle's decision on the subject, had already greatly diminished when the Comptroller General made his report.

With regard to the question of providing a separate chapel, I am of opinion that all due facilities should be given for the due celebration of divine worship for Roman Catholic prisoners; but I do not find any ground either in the letter of the Bishop or in Captain Henderson's report, for supposing that the building at present appropriated with a view both to Protestant and Roman Catholic worship for the convicts does not afford ample accommodation for the purpose.

Under these circumstances I see no reason for differing from the decision conveyed to you in the Duke of Newcastle's Despatch, No. 24, of the 20th of February last.

Governor Fitzgerald,
&c. &c.

I am, &c,
(Signed) G. GREY.

No. 26.

No. 26.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 2.)

SIR,

Downing Street, January 4, 1855.

* Page 154.

I HAVE had before me your Despatch, No. 77,* of the 5th of August last, accompanied by an application from the Roman Catholic Bishop for some further aid, and reporting that you have not the means of making any additional grant out of colonial funds, but that you will be glad if 300*l.* per annum can be placed at your disposal, out of convict funds, towards making an allowance to the Bishop for his travelling expenses, and granting a stipend to a Roman Catholic clergyman to visit monthly the York and Toodyay Districts.

I have every disposition to give due weight to any representations from you on such a question, but I cannot but feel that I am placed in some difficulty in arriving at a decision on the present occasion, by the tenor of your despatches during the year on the provision for the ministrations of Roman Catholic clergy.

On the 18th February 1854, you informed me that beyond the fixed salary of 200*l.* to the principal Roman Catholic chaplain, you expended out of convict funds 480*l.* per annum on priests for their attendance on convicts at outlying stations. On the 30th June 1854, you reported that by the diminution in the number of such convicts you had been able to diminish this expenditure to a single allowance of 54*l.* per annum. But two months afterwards, in the despatch of the 5th of August, now before me, you state that you will be glad of 300*l.* per annum for a purpose similar to that on account of which you had just struck off rather more than 400*l.* per annum.

Unable to arrive at any clear decision between these varying views, I must decline sanctioning any fresh allowances until upon the receipt of the convict estimates, which may be shortly expected from you, I shall have before me at one view the whole scheme of the proposed convict expenditure for the approaching financial year.

Governor Fitzgerald,
&c. &c.

I have, &c.,
(Signed) G. GREY.

WESTERN
AUSTRALIA.

No. 27.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to GOVERNOR FITZGERALD.

No. 27.

(No. 4.)

SIR, Downing Street, January 6, 1855.
WITH reference to my Despatch, No. 64* of the 26th May last, informing you that in addition to eight warders sent out by the "Esmeralda," four more would be despatched by the next opportunity, I have now to inform you that the four officers, of whom a list is annexed, have been selected accordingly, and have been ordered to embark in the "Stag," which is preparing to sail with convicts for Western Australia.

* Page 206.

Governor Fitzgerald,
&c. &c. &c.

I have, &c.,
(Signed) G. GREY.

Enclosure in No. 27.

Encl. in No. 27.

LIST of OFFICERS selected for Service in Western Australia.

Name of Officer.	Present Rank.	Date of first Appointment to Prison Service in England.	Date of Appointment to Western Australia.	Present Salary.	Date of next Increase.
Edward Ennis - -	Warder	29th April 1849.	4th Jan.	£60	1st June 1855.
George Rich - -	Assistant Warder	6th September 1849.	Ditto	£57	1st September 1855.
Josiah Woodrow -	Ditto	1st February 1852.	Ditto	£55	1st February 1856.
John Winter - -	Ditto	12th April 1853.	5th Jan.	£53	1st April 1855.

No. 28.

No. 28.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to GOVERNOR FITZGERALD.

(No. 5.)

SIR, Downing Street, January 8, 1855.
WITH reference to my predecessor's Despatch, No. 142* of December 12, 1853, I transmit for your information copies of a correspondence which has passed between this department and the Board of Treasury, from which it will be seen that it has been decided that the buildings erected from convict funds for the use of the police in Western Australia are to be unconditionally transferred to the Local Government for police purposes.

Governor Fitzgerald,
&c. &c. &c.

I have, &c.,
(Signed) G. GREY.

Treasury,
Sept. 4, 1854.
Enclosures not
transmitted.
Colonial Office,
Oct. 20, 1854.
Enclosures not
transmitted.
Treasury,
Dec. 14, 1854.

* Page 265 of Papers on "Convict Discipline," presented to Parliament by Her Majesty's command May 1854.

WESTERN
AUSTRALIA.

Enclosure 1 in No. 28.

Encl. 1 in No. 28.

SIR,

Treasury Chambers, September 4, 1854.

WITH reference to your letter of the 27th October last relative to the expense of maintaining the police force in Western Australia, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit* the accompanying letter from Deputy Commissary General Mends and its enclosures upon the subject, and to request that you will move Secretary Sir George Grey to cause my Lords to be informed whether any further instructions have been given to the Governor of Western Australia upon this subject.

Herman Merivale, Esq.
&c. &c.

I am, &c.,
(Signed) C. E. TREVELYAN.

Encl. 2 in No. 28.

Enclosure 2 in No. 28.

SIR,

Downing Street, October 20, 1854.

WITH reference to the inquiry contained in your letter of the 4th ultimo as to the instructions which may have been given to the Governor of Western Australia respecting the expenditure to be incurred by this country on account of the magistracy and police in the colony, I am directed by Secretary Sir G. Grey to transmit* to you, for the information of the Lords Commissioners of the Treasury, an extract of his predecessor's despatch to the Governor, which will be found to remove any doubt respecting the amount of the contribution for that service, and will, Sir G. Grey trusts, have afforded sufficient guidance to the Governor and the officers of the commissariat immediately after the arrival of those instructions in the colony.

With respect to the question at the end of Deputy Commissary General Mend's letter of the 15th May which you have enclosed, Sir G. Grey would recommend that the buildings erected from convict funds for the use of police should be transferred unconditionally to the local government for police purposes.

Sir C. E. Trevelyan, Bart.
&c. &c. &c.

I have, &c.,
(Signed) T. FREDK. ELLIOT.

Encl. 3 in No. 28.

Enclosure 3 in No. 28.

SIR,

Treasury Chambers, December 14, 1854.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Secretary Sir George Grey, with reference to Mr. Elliot's letter, dated 20th October last, that my Lords have informed the commissariat officer in charge in Western Australia that they concur in Sir George Grey's recommendation that the buildings erected from convict funds for the use of the police should be transferred unconditionally to the local government for police purposes.

Herman Merivale, Esq.
&c. &c.

I have, &c.,
(Signed) C. E. TREVELYAN.

No. 29.

No. 29.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
(No. 8.) to Governor FITZGERALD.

SIR,

Downing Street, January 16, 1855.

* Page 150.

I HAVE had the honour to receive your Despatch, No. 75* of the 3rd of August last, upon the question whether Western Australia could be made available for the reception of female convicts.

As it appears that their introduction would be unacceptable to the majority of the free inhabitants, and as you and the Comptroller General entertain objections to the measure on various grounds, and think it unnecessary with reference to the important object of endeavouring to equalize the numbers of the sexes in the colony, I feel that it ought not to be adopted; unless, therefore, circumstances should hereafter arise to require that the question should be reconsidered, no female convicts will be sent to Western Australia.

Governor Fitzgerald,
&c. &c. &c.

I have, &c.,
(Signed) G. GREY.

* These Enclosures were not transmitted to the Governor.

No. 30.

Copy of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Governor FITZGERALD.

(No. 12.)

WESTERN
AUSTRALIA
No. 30.

SIR,

Downing Street, January 24, 1855.

I HAVE received your Despatch, No. 74,* of the 29th of July last, respecting the case of two military convicts, and also asking for instructions upon the general question whether the period at which a convict may be recommended for a conditional pardon is to be determined by his conduct as a ticket-of-leave holder, or whether it must depend absolutely upon the proportion he has served of his original sentence.

* Page 149.

I have to instruct you in answer that you may continue to adhere to the regulations respecting holders of tickets-of-leave, which were transmitted by you to this country with the report of the comptroller general for the half year ended the 31st of December 1851, being founded on instructions from Lord Grey. The 38th article of those regulations prescribed a period of good conduct in the capacity of ticket-of-leave holders, after which the convict might receive a conditional pardon. This rule will continue in force, and the attainment of a conditional pardon will be governed by it, and not by the absolute proportion which has elapsed of the convict's sentence.

See Parliament
Paper on convic
December 1852.
Page 187.

In conformity with this decision I have to convey to you Her Majesty's authority for granting conditional pardons, available every where, save in the United Kingdom and in the place from whence they were transported, to the two military convicts, John Pidgeon and John Sheen.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) G. GREY.

No. 31.

Copy of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to Governor FITZGERALD.

(No. 15.)

No. 31.

SIR,

Downing Street, January 26, 1855.

I HAVE received your Despatch, No. 101* of the 11th of September last, accompanied by the report of the Comptroller General for the half year ending 31st December 1853.

* Page 156.

I enclose for your information a copy of a letter which I have caused to be addressed on the subject of this report to the Home Office.

Your Despatch contains some remarks on the importance of dispersing ticket-of-leave holders, to the general character of which I see no reason to object; on the other hand, however, this general principle cannot be considered to extend so far as to demand the maintenance of hiring depots at places which are so remote as to involve excessive cost for keeping up the depots, and at the same time so scantily provided with settlers as to afford a limited field for employment of the convicts. For example, the Champion Bay district is one from which I am aware a material addition may be hoped to the resources of the colony; but owing to the very trifling number of free settlers there (estimated in Lieutenant Crossman's report at nine or ten, between the Murchison and the Irwin) the depot thus maintained at a distance of three hundred miles from head quarters with great difficulty and at a heavy cost, is described to have dwindled into a hospital for these few settlers and for the mining company, and a receptacle for such of their convict servants as may have displeased them. It would seem more reasonable that the very limited number of employers requiring labourers at that great distance should make their own arrangements for their care in sickness and general management.

Jan. 31, 1855.

With respect to the importance which is alluded to in the Comptroller's report of possessing a sufficient force of mounted police, you are aware that a fixed amount is now contributed by this country towards all the expenses of police, and that its application, in conjunction with such funds as are granted by the local legislature for the same service, is left to your discretion.

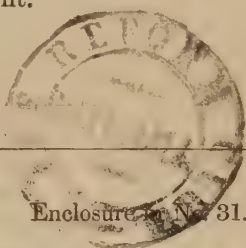
WESTERN
AUSTRALIA.

The employment of convicts as constables is objectionable in principle, and must be attended with danger of abuse, but as for the present the exigencies of the service have left no alternative, I am glad that the measure is reported to have hitherto worked with no bad result. In addition to the eight warders from English prisons sent out in the "Esmeralda" in the month of June last, four others will proceed by the "Stag," which is now about to sail, and it is intended to continue the supply by each succeeding convict ship. This will, I trust, enable you to keep up the general character of the officers of the convict establishment, and you will discontinue the employment of convict constables whenever you can find it practicable to do so, consistently with having the requisite number of persons for the performance of that duty.

You will perceive that I have referred to the Home Department the remarks made on the expediency of varying the books furnished for use on board the convict vessels. The supply required for the library at Fremantle will be attended to in this department.

Governor Fitzgerald,
&c. &c.

I have, &c.,
(Signed) G. GREY.



Encl. in No. 31.

SIR,

Downing Street, January 31, 1855.

I AM directed by Secretary Sir George Grey to request that you will lay before Viscount Palmerston the enclosed copy of a despatch from the governor of Western Australia, accompanied by the periodical report of the comptroller general of convicts for the half year ended the 31st December 1853.

I am to suggest that a copy of this report should be communicated to the Irish Government in order to put them in possession of the further information which it contains upon the subject of the Irish prisoners sent out in 1853 in the ships "Robert Small" and "Phoebe Dunbar." The tenor of the present report confirms the propriety of selecting for Western Australia prisoners who have not less than twelvemonths to pass in a state of confinement before they become eligible in ordinary course for tickets of leave. The remark of the surgeon in his report, at page 25 of the accompanying paper upon the causes of the unhealthy state in which the prisoners by the "Robert Small" and "Phoebe Dunbar" arrived, will be found deserving of attention. The same subject, it will be remembered, was brought under Lord Palmerston's notice in my letter of the 25th of April last, which transmitted all the evidence taken on this matter in the colony, leaving for decision the questions which of the officers and others concerned ought to be held answerable for the mismanagement which had occurred in the "Robert Small," and whether or not any preparatory changes should hereafter be made, as was suggested in the colony, in the diet and treatment of Irish prisoners selected for removal to Western Australia.

The chaplain, at page 33 of his report, lays peculiar stress on the importance of a good choice of the religious instructors who accompany the convicts on the voyage.

I am at the same time to request that you will bring under Lord Palmerston's notice the remark of the Comptroller General at page 6 on the uselessness of sending on board of convict ships the same books which have already been read and re-read in the English prisons. It appears clearly desirable to introduce some variety into the books shipped for use during the voyage. The other question of the supply of books to constitute the prison library at Fremantle will be attended to in this department.

In conclusion, I am to state that Sir G. Grey infers from the present report that it will not be desirable to send out at once a vessel with convicts qualified for tickets-of-leave in addition to the three ships filled with prisoners, of which the engagement at successive intervals of two months was suggested in my letter of the 28th of October last.

H. Waddington, Esq.,
&c. &c.

I have, &c.,
(Signed) H. MERIVALE.

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AUSTRALIAN COLONIES.

CONVICT DISCIPLINE AND TRANSPORTATION.

FURTHER CORRESPONDENCE

ON THE SUBJECT OF

CONVICT DISCIPLINE

AND

TRANSPORTATION.

(In continuation of Papers presented February 1855.)

Presented to both Houses of Parliament by Command of Her Majesty,
August 1855.



LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855

1988

SCHEDULE.

VAN DIEMEN'S
LAND.

Sir W. Denison.

VAN DIEMEN'S LAND.

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NEW SOUTH WALES.

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VICTORIA.

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SOUTH
AUSTRALIA.

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WESTERN
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FURTHER CORRESPONDENCE

ON THE SUBJECT OF

CONVICT DISCIPLINE AND TRANSPORTATION.

VAN DIEMEN'S LAND.

Despatches from Lieut.-Governor Sir W. Denison.

No. 1.

COPY of a DESPATCH from Lieut.-Governor Sir WILLIAM DENISON to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 45.)

Van Diemen's Land, Government House,
November 14, 1854.

(Received 12th February 1855.)

SIR,

(Answered, No. 34, June 12, 1855, page 61.)

I HAVE the honour to forward herewith a petition addressed to Her most Gracious Majesty by the Legislative Council of this Colony, praying, for reasons stated in the petition,

First, That Her Majesty would be pleased, in the exercise of Her Majesty's undoubted prerogative of mercy, to command the issue of free pardons to those individuals in these colonies who at present hold conditional pardons.

Second, That Her Majesty would be pleased to grant Her gracious pardon without condition, to those prisoners of the Crown who may be recommended by the local government.

Third, That the superintendence, control, maintenance, and management of those who may be deemed undeserving of indulgence, be transferred to the government of this colony.

Fourth, That in consideration of such maintenance and management, a sum of money, diminishing from year to year, to be agreed upon by Her Majesty's Principal Secretary of State and the local government, be paid out of the Imperial Treasury to the colony.

Fifth, That Her Majesty would be graciously pleased to command that the amount which ought to be paid to this colony in aid of the cost of police and gaols be reconsidered.

2. With regard to the two first heads under which the prayer of the petition is classed, which have reference to the issue of free instead of conditional pardons, I am aware that there exist some objections to a measure which might possibly have the effect of allowing offenders sentenced to long periods of expatriation, or even to transportation for life, to return to England; but I would submit that in practice very few would be likely to return, and those few would in all probability consist of men who had acquired wealth by steady industry in this colony, whose presence in England would be productive of no injury to society.

I may also add, that by issuing free in lieu of conditional pardons, the only objection on the part of the Victoria Legislature to receive these men, to which even a show of validity can attach, will be removed, as a man who is considered good enough to be allowed to return to England, is of course good enough to be allowed to visit Victoria.

3. I will not say anything further on this head at present, as I may have probably to address you again on the subject of the Convicts Prevention Bill of the Victoria Legislature.

4. With regard to the third and fourth clauses of the prayer of the petition, I would merely observe that they embody the suggestion which was made in my Despatch No. 154*, dated 2d July 1853, and may safely be acceded to, as tending to economize the expenditure on account of the convicts, both home and colonial; the amount to be paid from the British Treasury would of course

* Page 52 of Papers relative to Convict Discipline, presented to Parliament by Her Majesty's Command, May 1854.

be the actual cost of the maintenance and superintendence of those convicts who, under the instructions contained in the Duke of Newcastle's Despatch, No. 23*, dated 14th February 1854, are properly chargeable upon British funds.

5. With regard to the fifth clause of the prayer of the petition, it is unnecessary for me to say more than that, although in my Despatch No. 151†, dated 2d July 1853, I suggested that the payments under this head from the British Treasury should not diminish so rapidly as has been decided upon by Her Majesty's Government, which decision is contained in the Duke of Newcastle's Despatch No. 23*, dated 14th February 1854, before quoted, yet as steps have been taken to reduce the number of convicts, I am not disposed to think that the rate of reduction of the allowance in question will be found too rapid.

I have, &c.

The Right Hon. Sir George Grey,
&c. &c. &c.

(Signed) W. DENISON.

Enclosure in No. 1.

Encl. in No. 1.

To Her most Gracious Majesty Queen Victoria, &c.,

The humble petition of the Legislative Council of Van Diemen's Land,

Showeth,

THAT in Your Majesty's gracious speech to the Imperial Parliament, in the second session held in the sixteenth year of Your Majesty's reign, Your Majesty was graciously pleased to recommend that the two Houses of Parliament should take into consideration the expediency of discontinuing transportation to Van Diemen's Land at no very distant day.

That Your Majesty's Principal Secretary of State for the Colonies early in the following year announced to the Government of this colony that no more convicts would be sent thereto.

That Your Majesty's faithful and loyal subjects are well assured that Your Majesty's gracious recommendation proceeded from a desire to comply with the wishes of Your Majesty's subjects in this and the neighbouring colonies, which wishes had been so frequently and earnestly pressed upon Your Majesty's advisers for many years.

That Your Majesty's petitioners recognize with gratitude this manifestation of Your Majesty's wish to promote to the utmost of Your Majesty's power the welfare and happiness of Your Majesty's subjects in this distant part of Your Majesty's Possessions.

That there were in this colony, on the 1st August last, 13,456 prisoners of the Crown, classed under the several degrees and denominations of ticket-of-leave holders, passholders, and probationary ticket-of-leave holders—of whom 10,174 maintain themselves by their industry either as mechanics and labourers or as hired servants, and 3,282 were maintained by the Government.

That the cost of maintaining the Convict Department in this colony has greatly increased within the last few years—notwithstanding the very large annual decrease in the number of convicts of all classes—in consequence of the advance which has taken place in the cost of all the necessaries of life since the discovery of gold in the colonies of New South Wales and Victoria, and the very large increase of population consequent thereon.

That the estimate for Convict Expenditure for the year 1851-2, when there were 20,067 convicts of all classes in the colony, was 100,160*l.* 3*s* 1*d.*; the estimate for 1853-4, when the number of convicts had been reduced below 16,500, was 149,656*l.* 18*s.* 8.; whilst for the year 1854-5 the estimated expenditure of the Convict Department is 205,385*l.* 5*s.* 4*d.*, although the number of convicts to be controlled and maintained does not exceed two thirds of the number in the Colony at the close of the year 1851; and it is estimated that the expenditure for the year ending 31st March 1856 will be 132,553*l.* 2*s.* 3*d.* That the contemplated reduction of the number of convicts during the ensuing two years will reduce the charge upon Your Majesty's Imperial Treasury to a sum considerably less than the amount expended for the year 1851-2; and should Your Majesty be graciously pleased to entertain favourably the prayer of Your Majesty's petitioners, the same or a greater reduction may be made at a much earlier period.

That the several degrees of indulgence enjoyed by the convicts who maintain themselves have been granted in consequence of good conduct, and nearly two thirds of them hold tickets of leave. These, Your Majesty's petitioners humbly and respectfully represent, are practically free within the limits of the colony, being subject only to the condition of reporting themselves personally at the half-yearly muster. Their dispersion under such indulgences has been attended with no very great inconvenience to the community; and in the opinion of Your Majesty's petitioners, they might with safety to Your Majesty's subjects in this colony receive Your Majesty's gracious pardon forthwith.

* Page 91 of Papers relative to Convict Discipline, presented to Parliament by Her Majesty's Command, May 1854.

† Page 52 *ib.*

VAN DIEMEN'S
LAND.

That Your Majesty's petitioners believe it is the earnest desire of all Your Majesty's subjects in this colony that all vestiges of its former penal character should be blotted out as early as possible. In this desire Your Majesty's petitioners fully participate.

That Your Majesty's petitioners further beg to represent that no evil would arise to the United Kingdom, or to Your Majesty's subjects the inhabitants thereof, were the pardons granted by Your Majesty's command to be full, free, and without any condition whatsoever. From the high rate of wages which has for some time prevailed in this colony, those who are in the enjoyment of indulgences are rapidly placed beyond all temptation to relapse into evil courses. A very large proportion are in circumstances of independence and respectability; and many who have received Your Majesty's gracious pardon have become possessed of considerable wealth. The proportion of the prisoners of the Crown who, after receiving Your Majesty's gracious pardon, are desirous of returning to the United Kingdom, is at all times exceedingly small; whilst the difficulty of acquiring a bare subsistence in England, contrasted with the certainty of ample means to support and educate a family, and the probability of acquiring wealth, are sufficient to render a residence in England an object of dread rather than of desire.

That Your Majesty's petitioners have passed under review the cases of numerous individuals who, having obtained their freedom, have returned to England; and they have almost invariably been men who, having acquired property in this country, have paid only a temporary visit to their families and friends, and returned to this colony to enjoy the fruits of their industry, where their condition is viewed with more charity and leniency, and with far less suspicion, than it is in the mother country.

That Your Majesty's petitioners are very far from desiring to conceal from Your Majesty that some of the prisoners of the Crown are men of such character as to be not only undeserving of Your Majesty's gracious pardon, but even of any indulgence whatever. But your petitioners respectfully submit that the same confidence which Your Majesty's advisers repose in the discretion and vigilance of the government of this colony in withholding indulgence from the worst class under the present system, will afford quite sufficient security that Your Majesty's free pardon will not be recommended except when the conduct of the object fully warrants such recommendation. And should Your Majesty be graciously pleased to entertain the prayer of your petitioners for the immediate emancipation of the more deserving prisoners of the Crown now holding indulgences, and those who may hereafter be deemed worthy of the same, great advantage and considerable saving would accrue to Your Majesty's Government by assigning the entire management of the remaining convict population to the government of this colony.

That Your Majesty's petitioners further respectfully represent to Your Majesty that the people of this colony ought not to be called upon to bear the cost of maintaining and managing those convicts whom it may be deemed necessary in future to keep in restraint; but that an annual sum, decreasing from year to year until it shall finally cease, should be paid by Your Majesty's Government to the government of this colony in aid of the cost of such maintenance and management.

That the cost of maintaining police and goals in this colony has, owing to the presence of a considerable convict population, always been large, and has of late years very greatly increased, amounting, as estimated for the year 1855, to the sum of 88,314*l.* 10*s.* 9*d.* When the expenditure for police and goals amounted to 36,000*l.*, Your Majesty's Government consented to contribute towards the same the sum of 24,000*l.*, being two thirds of the then expenditure. That the said sum of 24,000*l.* has not been increased with the increasing charge upon Your Majesty's subjects in this colony; and, by a Despatch dated 14th February 1854, a notification has been conveyed to the government of this colony that this contribution, together with the annual allowance of 1,000*l.* in aid of witnesses' expenses, will be subject to the following reductions:—

1st year, commencing from 1st April last	-	-	£3,000
2d year	-	-	4,000
3d year	-	-	6,000
4th year	-	-	6,000
5th year	-	-	6,000
			£25,000

That, even with the contribution of Your Majesty's Government in aid of the police expenditure, Your Majesty's subjects in this colony are taxed to the extent of one pound and four shillings per head for the expenditure in question; and if the small proportion now contributed by Your Majesty's Imperial Treasury, and which is included in the sum voted by Parliament for the maintenance of the Convict Establishment, be discontinued, Your Majesty's subjects will be taxed to the extent of one pound and thirteen shillings per head,—an amount nearly equal to the taxation of Great Britain for all the purposes of government, and for the payment of the interest of the National Debt.

Your Majesty's petitioners, therefore, humbly and respectfully submit that the decision of Your Majesty's Principal Secretary of State touching the reduction of the said contribution ought to be reconsidered with a view to a more equitable arrangement.

Your Majesty's Petitioners, therefore, respectfully and earnestly pray,—

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1st. That Your Majesty will be pleased, in the exercise of Your Majesty's undoubted prerogative of mercy, to command the issue of free pardons to those individuals in these colonies who at present hold conditional pardons.

2d. That Your Majesty will be pleased to grant your gracious pardon, without any condition, to those prisoners of the Crown who may be recommended by the local government.

3d. That the superintendence, control, maintenance, and management of those who may be deemed undeserving of indulgence be transferred to the government of this colony.

4th. That, in consideration of such maintenance and management, a sum of money, diminishing from year to year, to be agreed upon by Your Majesty's Principal Secretary of State and the local government, be paid out of the Imperial Treasury to this colony. And,

5th. That Your Majesty will be graciously pleased to command that the amount which ought to be paid to this colony in aid of the cost of police and gaols be reconsidered.

And Your Majesty's petitioners will ever pray.

(Signed) RICHARD DRY,
Speaker.

Passed the Legislative Council, this 27th day of October 1854.

(Signed) F. R. HARTWELL HENSLOWE,
Clerk of Council.

No. 2.

EXTRACT of a DESPATCH from Lieut.-Governor Sir WILLIAM DENISON to the Right Hon. Sir GEORGE GREY, Bart.

(No. 50.)

Government House, November 17, 1854.

(Received February 18, 1855.)

"I HAVE the honour to acknowledge the receipt of your Despatch No. 4,* dated June 27, 1854, containing a copy of one addressed to Sir Charles Hotham, No. 2, dated June 24, directing him to issue free pardons to certain persons who, though holding conditional pardons, had been treated as convicts illegally at large.

"I forward herewith copies of the correspondence which has taken place between Sir Charles Hotham and myself on the subject of the introduction into the Legislative Council of Victoria of Bills by which it is attempted to evade compliance with the spirit of your Despatch to Sir Charles Hotham, in which you point out that the treatment to which holders of pardons had been subjected was not only an obvious injustice, but a serious encroachment on the prerogative of the Crown."

Enclosure 1 in No. 2.

Encl. 1 in No. 2.

SIR,

Government House, October 25, 1854.

I RECEIVED from the Secretary of State a Despatch containing a copy of one addressed to yourself, No. 2, dated June 24, 1854, containing general directions as to the treatment of persons who, having been in possession of conditional pardons, have been assumed to be convicts illegally at large, and have, as such, been sentenced to various periods of hard labour upon the roads, under the provisions of the Act of the Legislature of Victoria, 16th Victoria, No. 13.

I was in hopes that a termination would have been put, by this Despatch, to a system of legislation which can only be productive of feelings of hostility between two colonies whose interest it would be to maintain the most intimate and friendly connexion with each other; but I regret to see that a Bill has been introduced into the Legislative Council of Victoria (a copy of which, as published in one of the newspapers of the colony, I enclose herewith), in which the provisions of the former Act, which is about to expire, are extended and made more objectionable.

Sub-Encl. 1.

In the former Act, the holders of conditional pardons were punished; in the present one, as printed every man who may, at any period within ten years, have been found guilty of felony, whether he may have received a free or conditional pardon, or have undergone the whole amount of punishment attached to his offence, is liable to be punished by imprisonment with hard labour, for a period not exceeding three years, which punishment, by the 11th clause, is to be repeated, should the person not leave the colony within three months after the expiration of his sentence.

* Page 82 of Papers on Convict Discipline, presented to Parliament by Her Majesty's Command, February 1855.

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By the 18th clause, any property which such person may have accumulated is to be forfeited.

I may be allowed to point out to you, that under the operation of the present Act many instances of gross injustice have been perpetrated; men who had received conditional pardons, and who, confiding in the guarantee which such pardon was intended to convey to them, had resided in the colony of Victoria, and had, by hard labour and honest industry, accumulated property to a large amount, have been deprived of that property and subjected to punishment for no offence.

By the present Act, the risk of such injustice being perpetrated is very much enhanced.

Sub-Encl. 3, p. 11.

It is not, of course, for me to discuss the details of the Bill, or the mode in which it is intended to carry out its provisions; but, in illustration of the allusion made by me to the hostile feelings which such legislation is likely to engender, I enclose a copy of a Bill which it was intended to introduce into the Legislative Council of this colony, as an antagonistic measure to that of the Victoria Legislature.

This Bill, which was brought forward by a member opposed generally to the Government, I have, I hope, been able to induce him to withdraw; but should the Victoria Bill pass and be brought into operation, a strong feeling of hostility will be engendered between the Legislatures of the two colonies, which will seek some opportunity of developing itself to the disadvantage of both.

I trust, therefore, that you will be able to modify the Bill so as to remove its objectionable provisions, which, indeed, would amount to withdrawing it altogether.

Should it pass in its present state, or in any shape which would tend to restrict the liberties of Her Majesty's subjects in this colony to avail themselves of the privileges to which they are legally entitled, it will be my duty to bring the subject under the notice of the Secretary of State, and to move him to recommend Her Majesty to disallow the Act.

His Excellency Sir Charles Hotham, K.C.B.
&c. &c. &c.

I have, &c.
(Signed) W. DENISON.

Sub-Enclosure 1 to Enclosure 1 in No. 2. (referred to at page 5.)

NEW CONVICTS PREVENTION BILL.

THE following is the measure proposed by the Government of Victoria:

A Bill to prevent the Influx of Unreformed Criminals into Victoria.

Be it enacted by his Excellency the Lieutenant-Governor of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows:—

I. It shall be lawful for the Lieutenant-Governor to nominate and appoint proper officers for issuing passports under the provisions of this Act, to be called Commissioners for passports, who shall reside within such districts in such of the British possessions as the Lieutenant-Governor may direct, and from time to time to remove such officers and appoint others in their stead, and also to define and from time to time vary and alter the boundaries and limits of the districts within which such officers respectively shall act, and every such nomination and appointment shall be published in the "Victoria Government Gazette," and also in some gazette or newspaper published in or next to the district for which such officers are appointed.

II. Every such Commissioner shall, as far as practicable, ascertain the previous character and conduct of every person within his district who may be about to proceed thence to Victoria, and shall without any fee or charge whatsoever issue a passport, in such form as the Lieutenant-Governor may from time to time direct, to any person who may apply for the same, and who shall satisfy such Commissioner that he has not at any time within ten years previously been found guilty of any felony by a court of competent jurisdiction in the United Kingdom, or in any other British possessions other than Victoria: Provided, that it shall be lawful for any such Commissioner in his discretion to issue a passport, to be styled a provisional passport, to any person, notwithstanding his having been so found guilty as aforesaid, who shall deliver to such Commissioner a written certificate of uniform good character for two years, signed by any two persons resident within the district of such Commissioner, and being officers of the army or navy of the rank of captain, or justices of the peace acting in or for some portion of such district, or ministers of religion officiating within some portion thereof, or members of the legislative body of the country in which such district is situated, every such certificate being in such form as the Lieutenant-Governor may direct.

III. Every such passport, except a provisional passport, may be either for a single voyage or journey, or in case of persons frequently passing and repassing between Victoria and the district of any such Commissioner, for a year from the issuing thereof.

IV. Any person who has assumed or been generally known by or under any alias, or different names, who shall apply to such Commissioner as aforesaid for a passport, shall inform him of all such aliases or different names, and such Commissioner shall specify all

such aliases or different names in the passport to be issued to any such person, and in case such person shall neglect or omit so to inform such Commissioner, or such passport shall not contain all such aliases or different names as aforesaid, every such passport shall be deemed void and of no effect under the provisions of this Act, and no person to whom a provisional passport shall have been issued, shall remain in Victoria after the revocation of any such provisional passport shall have been published as aforesaid.

V. Every such Commissioner shall forthwith, upon the issuing of any passport or provisional passport, transmit duplicates thereof respectively and true copies of the certificate upon which any provisional passport shall have been issued, to the proper officer for the examination of passports, to be appointed as herein-after mentioned, and it shall be lawful for the Lieutenant-Governor, within one month after the receipt of such copy of any provisional passport, to revoke the same; every such revocation being published in the "Victoria Government Gazette," and at the expiration of twenty days after such publication any such provisional passport shall be void and of no effect under the provisions of this Act.

VI. It shall be lawful for the Lieutenant-Governor to appoint proper principal and subordinate officers for the examination of passports in and for such districts and ports in Victoria as his Excellency may direct, and from time to time to remove them and appoint others in their stead, and also to define, and from time to time vary and alter the boundaries and limits of the districts in Victoria within which such officers respectively shall act.

VII. After the expiration of days from the appointment of a Commissioner for passports in or for any district out of Victoria, no person shall come into Victoria from such district or the country in which such district is situated, without having obtained from the Commissioner for the district in which he may have resided, or, if no such Commissioner shall have been appointed, from the Commissioner for the district nearest to his residence, a valid passport, pursuant to and under the provisions of this Act, and any person who shall be convicted of offending against the provisions of this clause shall forfeit a sum not exceeding twenty pounds.

VIII. It shall be lawful for any justice of the peace, any officer for the examination of passports as aforesaid, or any constable, at any time after the expiration of days from the appointment of a Commissioner of Passports for any district out of Victoria having been published in the Victoria Government "Gazette" as aforesaid, having reasonable cause to suspect that any person having been found guilty of any felony as aforesaid within ten years preceding, has at any time after the passing of this Act, or within six months previous to the passing thereof, come into Victoria from such district, or the country in which such district is situated, or has remained in Victoria after his provisional passport has been revoked contrary to the provisions of this Act, to cause such suspected person to be apprehended, and taken before any two justices of the peace, to be dealt with as herein-after mentioned: Provided that it shall be lawful for any justice of the peace to take bail for the appearance of such suspected person before such justices, in such sum and with or without such sureties as such justice may deem expedient.

IX. It shall be lawful for any two justices of the peace, before whom any such suspected person shall have been brought, on proof that such suspected person has been found guilty of felony as aforesaid, within ten years of his having been apprehended as aforesaid, and has at any time after the passing of this Act, or within six months previous to the passing thereof, come into Victoria from a district for which a Commissioner of Passports has been appointed, or from the country in which such district is situated, without having obtained a valid passport, pursuant to the provisions of this Act, or has remained in Victoria after the revocation of any provisional passport has been published as aforesaid, in a summary way to sentence such suspected person, if a male, to be kept to hard labour with or without irons, on the roads or other public works, for any period not exceeding three years, or whether male or female, to be imprisoned, with or without hard labour, in any gaol for any period not exceeding two years.

X. All property found upon or in possession of any such suspected person as aforesaid shall upon his apprehension be seized and detained, and in the event of his being convicted and sentenced as aforesaid shall be forfeited.

XI. Any person sentenced as aforesaid to hard labour or imprisonment, who shall remain in Victoria for three months after the termination of such sentence, shall be liable to be again similarly apprehended and sentenced, and so on from time to time as often as he shall so remain.

XII. It shall be lawful for the Lieutenant-Governor, in his discretion, to cause a passport which shall be valid under the provisions hereof to be issued to any person who may have arrived in Victoria before the passing of this Act.

XIII. If any person shall fraudulently forge or alter any such passport, or any copy thereof, or shall fraudulently produce, utter, or exhibit any such forged passport or copy thereof, knowing the same respectively to have been forged, or shall personate any other person described or intended to be described in such passport or copy thereof, such person shall be subject to a fine not exceeding the sum of one hundred pounds.

XIV. Any person who shall harbour or conceal any other person whom he shall know or believe to have come into or remained in Victoria, contrary to the provisions of this Act, shall be subject to a fine not exceeding one hundred pounds.

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XV. All masters of or persons commanding navigable vessel proceeding on a voyage to any port in Victoria from any port or place in any country abroad, for any district of which a Commissioner for Passports has been appointed under the provisions of this Act, shall require every passenger in the said vessel to exhibit his passport to such master or other person, and such master or other person shall, at the arrival of such vessel in Victoria, deliver a list of all such passengers thereof, signed by himself, to the proper officer for the examination of passports in or for the port at which he shall so arrive; and until such list shall have been delivered as aforesaid, no master or person commanding any vessel shall permit any such passenger to land.

XVI. Every master or person commanding any vessel wilfully violating any of the aforesaid provisions as to any passenger, shall, for every such offence, be liable to a fine not exceeding one hundred pounds, or to imprisonment for any period not exceeding six months, or to both. And any passenger who shall wilfully land from such vessel until such list have been delivered as aforesaid, shall, for every such offence, be liable to a fine not exceeding one hundred pounds, or to imprisonment for any period not exceeding six months.

XVII. Any master mariner or other person owning, commanding, navigating, or sailing any vessel for the trip or voyage, when any such vessel shall wilfully bring to any port or place in Victoria, from any country in or from any part of which a Commissioner for Passports has been appointed, and such appointment published in some gazette or newspaper of such country, any person not having previously obtained a valid passport in pursuance of the provisions of this Act, shall, upon conviction thereof before any two justices of the peace having jurisdiction within the said colony, or any portion thereof, for every such offence be liable to a fine not exceeding one hundred pounds, or to imprisonment for any time not exceeding six months, or to both, at the discretion of the said justices.

XVIII. It shall be lawful for any justice of the peace having information on oath that any person who has arrived or remained in Victoria, contrary to the provisions of this Act, is harboured in any house or other place within the jurisdiction of such justice, to grant a general search-warrant to any constable for such offender; and it shall be lawful for any such constable, in virtue of such general search-warrant, to break, enter, and search, by day or by night, any dwelling-house, tenement, or other place within such jurisdiction wherein such offender may be suspected to be concealed, and to apprehend any person whom such constable shall have reasonable cause for suspecting to be an offender illegally at large, and also to apprehend all persons found in or about such dwelling-house or tenement, or other place, whom such constable shall have reasonable grounds for suspecting and believing to have knowingly harboured and concealed such offender illegally at large as aforesaid, and all persons so found and apprehended as aforesaid shall be forthwith taken before any justice of the peace, to be dealt with as herein provided.

XIX. It shall be lawful for any justice of the peace, officer for the examination of passports, or constable, to enter on board any vessel trading between any of the ports of a country in or for which or any part of which a Commissioner of Passports has been appointed under this Act, and having reasonable cause to suspect that any person from such country not having obtained a passport under this Act is on board such vessel, to search any and every part thereof, and apprehend any person found therein not having obtained a passport in pursuance of the provisions of this Act.

XX. It shall be lawful for any two or more justices, assembled at petty sessions, to hear and determine in a summary way all cases arising under this Act, and at their discretion to fix and determine all the fines, penalties, and forfeitures hereby imposed. And no complaint, conviction, order for confiscation or forfeiture, or other proceeding before or by any justices under this Act, shall be quashed or set aside, or deemed void or insufficient for want of form only, or be removed or removeable by *certiorari*, or any other writ or process whatsoever, into the Supreme Court.

XXI. Every summons, information, conviction, and warrant of commitment shall be deemed valid in which the offence charged or alleged in the same respectively shall be set forth in the words of this Act.

XXII. Oral proof that any person was, in any country for which, or in a district in which, a Commissioner for Passports shall have been appointed under this Act, known to have been, or was commonly deemed or reputed to have been found guilty of any felony in Great Britain, or any British possession other than Victoria, shall, for the purposes of this Act, be taken as good *prima facie* evidence that such person was found guilty of felony within the said period of ten years as aforesaid, and production of the imprint of any gazette or newspaper purporting to have been published in any particular place, and containing any notice hereby required to be published, shall be deemed sufficient evidence of such publication, and the place of such publication respectively, and a copy of any passport signed by any Commissioner or officer, and purporting to be a true copy, shall be deemed sufficient evidence of such passport and of its having been issued under the provisions of this Act, unless the contrary be proved.

XXIII. Whenever any pecuniary penalty shall have been imposed under the provisions of this Act, and the person convicted shall not forthwith pay the same into the hands of the convicting justices, it shall be lawful for such justices to direct that such person be

imprisoned, with or without hard labour as they shall think fit, for a period not exceeding two calendar months, if the penalty be not above twenty pounds; and for a period not exceeding four calendar months, if the penalty be above twenty pounds and not above fifty pounds; and for a period not exceeding twelve calendar months, if the penalty be above fifty pounds; and such person shall be detained and kept to hard labour unless such respective penalties shall be sooner paid.

XXIV. All pecuniary fines and penalties received under this Act shall be paid into the Police Reward Fund.

XXV. Any person who shall feel himself aggrieved by the judgment of the justices adjudicating under this Act may appeal from their order or adjudication to the next Court of General Sessions of the Peace which shall be held nearest to the place where such order or adjudication shall have been given or made, and the execution of every such order or adjudication so appealed from may, at the discretion of such justices, be suspended in case such person shall, with one or more sufficient surety or sureties before such justices, enter into a recognizance to Her Majesty, her heirs and successors, in such sum as to such justices shall seem fit; which recognizance such justices are hereby authorized to take, conditioned to prosecute such appeal with effect, and to be forthcoming to abide the determination of such Court of General Sessions, and pay such costs as the said Court shall award. And such Court is hereby authorized finally to hear and determine the matter of such appeal.

XXVI. It shall be lawful for any Commissioner or officer appointed under this Act to nominate a deputy to act for him provisionally, and the act of any such deputy shall be as valid as the act of any such Commissioner or officer.

XXVII. This Act shall commence from and after the _____ day of _____ in the year of our Lord one thousand eight hundred and fifty _____, and continue in force for the space of two years then next.

Sub-Enclosure 2 to Enclosure 1 in No. 2.

COUNCIL PAPER.

A BILL to prevent the Influx of Criminals into Victoria.

BE it enacted by His Excellency the Lieutenant-Governor of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows:—

It shall be lawful for any justice of the peace, or any constable, at any time after the expiration of _____ days from the passing hereof, having reasonable cause to suspect that any person has at any time within _____ years been found guilty of any felony by a court of competent jurisdiction in the United Kingdom of Great Britain and Ireland, or any British Possession other than Victoria, and has at any time after the passing of this Act come into Victoria, to cause such suspected person to be apprehended and taken before any two justices of the peace, to be dealt with as herein-after mentioned: Provided, that it shall be lawful for any justice of the peace to take bail for the appearance of such suspected person before such justices in such sum, and with or without such sureties, as such justice may deem expedient.

II. It shall be lawful for any two justices of the peace before whom any such suspected person shall have been brought, on proof that such suspected person has been found guilty of felony as aforesaid within _____ years of his having been apprehended as aforesaid, and has at any time after the passing of this Act come into Victoria, at their discretion either to cause such person to be conveyed in custody to the colony or possession from whence he came, or to sentence such suspected person, if a male, to be kept to hard labour, with or without irons, on the roads, or other public works, for any period not exceeding _____ years, or whether male or female, to be imprisoned, with or without hard labour, in any gaol for any period not exceeding _____ years.

III. All property found upon or in possession of any such suspected person as aforesaid shall upon his apprehension be seized and detained, and in the event of his being convicted and sentenced as aforesaid, shall be forfeited.

IV. Any person sentenced as aforesaid to hard labour or imprisonment who shall remain in Victoria for three months after the termination of such sentence shall be liable to be again similarly apprehended and sentenced, and so on from time to time as often as he shall so remain.

V. Any person who shall harbour or conceal any other person whom he shall know or believe to have come into or remained in Victoria contrary to the provisions of this Act shall be subject to a fine not exceeding one hundred pounds.

VI. Any master-mariner, or other person, owning, commanding, navigating, or sailing any vessel for the trip or voyage, when any such vessel shall bring to any port or place in Victoria any person having been found guilty as aforesaid, shall, upon conviction thereof before any two justices of the peace, for every such offence be liable to a fine not exceeding _____ pounds, or to imprisonment for any time not exceeding _____ months, or to both, at the discretion of the said justices.

VII. It shall be lawful for any justice of the peace, having information on oath that any person who has arrived in Victoria contrary to the provisions of this Act is harboured

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in any house or other place within the jurisdiction of such justice, to grant a general search warrant to any constable for such person; and it shall be lawful for any such constable, in virtue of such general search-warrant, to break, enter, and search, by day or by night, any dwelling-house, tenement, or other place wherein such person may be suspected to be concealed, and to apprehend any person whom such constable shall have reasonable cause for suspecting to have arrived or remained in Victoria contrary to the provisions hereof, and also to apprehend all persons found in or about such dwelling-house, tenement, or other place, whom such constable shall have reasonable grounds for suspecting and believing to have knowingly harboured and concealed such suspected person and all persons found and apprehended as aforesaid shall be forthwith taken before any justice of the peace, to be dealt with as herein provided.

VIII. It shall be lawful for any justice of the peace or constable to enter on board any vessel, and having reasonable cause to suspect that any person having been found guilty as aforesaid is on board such vessel, to search any and every part thereof, and apprehend any person found therein contrary to the provisions of this Act.

IX. It shall be lawful for any two or more justices assembled at petty sessions to hear and determine in a summary way all causes arising under this act, and at their discretion to fix and determine all the fines, penalties, punishments, and forfeitures hereby imposed, and no complaint, conviction, order for confiscation, punishment, or forfeiture, or other proceeding before or by any justices under this Act, shall be quashed or set aside or deemed void or insufficient for want of form only, or be removed or removeable by *certiorari*, or any other writ or process whatsoever, into the Supreme Court.

X. Every summons, information, conviction, and warrant of commitment under the provisions of this Act, shall be deemed valid in which the offence charged or alleged in the same respectively shall be set forth in the words of this Act.

XI. Oral proof that any person was in any British colony or possession other than Victoria, known to have been or commonly deemed or reputed to have been found guilty of any felony in Great Britain, or any British possession other than Victoria, or to have been serving any sentence of transportation or imprisonment for such offence, shall, for the purposes of this Act, be taken as good *prima facie* evidence that such person was found guilty of felony within the said period of years as aforesaid; and oral proof that any person so found guilty was apprehended in Victoria at any time after the passing of this Act not having a fixed and known place of residence, shall be deemed good *prima facie* evidence that such person arrived in Victoria after the passing hereof, unless the contrary be proved.

XII. Whenever any pecuniary penalty shall have been imposed under the provisions of this Act, and the person convicted shall not forthwith pay the same into the hands of the convicting justices, it shall be lawful for such justices to direct that such person be imprisoned, with or without hard labour, as they shall think fit, for a period not exceeding two calendar months if the penalty be not above twenty pounds; and for a penalty not exceeding four calendar months, if the penalty be above twenty pounds and not above fifty pounds; and for a period not exceeding twelve calendar months, if the penalty be above fifty pounds; and such person shall be detained and kept to hard labour unless such respective penalties shall be sooner paid.

XIII. All pecuniary fines and penalties received under this Act shall be paid into the police reward fund.

XIV. If any suit or action shall be brought against any justice of the peace, constable, or other person for any act or thing done in furtherance of the provisions of this Act, the defendant in every such action may plead the general issue, and give this Act, and the special matter in evidence at any trial to be had thereupon; and if the verdict shall be for the defendant, or if the plaintiff in any such action or suit shall be nonsuited, or discontinue his action or suit after the defendant shall have appeared, or if upon demurrer judgment shall be given against the plaintiff, the defendant shall have treble costs, and shall have the like remedy for the same as any other defendant hath in any other case to recover costs by law; and although a verdict shall be given for the plaintiff in any such action, he shall not be entitled to recover any costs against the defendant, unless the judge before whom such action shall be tried shall certify at the trial and in open court, under his hand, on the back of the record, his approbation of the action, and of the verdict thereupon.

XV. Any person who shall feel himself aggrieved by the judgment of the justices adjudicating under this Act may appeal from their order or adjudication to the next court of general sessions of the peace which shall be held nearest to the place where such order or adjudication shall have been given or made, and the execution of every such order or adjudication so appealed from may, at the discretion of such justices, be suspended in case such person shall with one or more sufficient surety or sureties before such justices enter into a recognizance to Her Majesty, her heirs and successors, in such sum as to such justices shall seem fit, which recognizance such justices are hereby authorized to take, conditioned to prosecute such appeal with effect, and to be forthcoming to abide the determination of such court of general sessions, and pay such costs as the said court shall award; and such court is hereby authorized finally to hear and determine the matter of such appeal.

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Enclosure 3 in No. 2.

Van Diemen's Land, Government House,
November 13, 1854.

Encl. 3 in No. 2.

SIR,

I REGRET very much to find from your letter, dated 1st November 1854, that you have formed an erroneous opinion altogether of my motive in addressing you on the subject of the Bill to prevent the influx of unreformed criminals into Victoria, which Bill has been submitted by the Government to the Legislative Council of that colony.

It was not my wish or intention to ask for any explanations on matters concerning the policy of Victoria, neither do I think that there is anything in my former letter which would admit of such an interpretation. I merely intended to draw your attention to the fact that the Bill in question was open to precisely the same objections as that which was disallowed by Her Majesty, and that, in addition, it tended to create a feeling of hostility between the two colonies, which could not but prove most prejudicial to the interests of both.

You will not, therefore, I trust, deem that I am in any way desirous to interfere with the due exercise of your authority as Lieutenant-Governor of Victoria, or that I am acting otherwise than I am compelled to do by a sense of duty to the colony over which Her Majesty has appointed me to preside, when I comment upon the provisions of the "Bill to prevent the Influx of Criminals into Victoria," which has, I see, been submitted to the Legislative Council, in place (I suppose) of that alluded to in my former letter.

Before, however, I proceed to comment upon the provisions of this enactment, I would premise, that it appears to me to be founded, in common with the other Acts of a similar character, upon a total misapprehension of the status of the man to whom the Queen in the exercise of her undoubted prerogative has issued a pardon, either free or conditional. Such a man, so long as he does not infringe the conditions attached to his pardon, is as free to come and go, to possess and alienate property, to trade and traffic, as any other of Her Majesty's subjects. The pardon is given to him for the express purpose of placing him in that position. It is therefore a distinct and palpable violation of the prerogative when the legislature of a colony attempts to impose other conditions in addition to those apparent on the face of the pardon, and a manifest injustice is done to the man who is punished for not complying with conditions so wrongfully imposed upon him.

I would also remark, with reference to the alleged necessity for the introduction of a Bill for the purpose of enabling the police to apprehend convicts who may have escaped from this colony, that the statutes at present in force give ample power to arrest and send back all such offenders.

With regard to the Bill itself, I see, that by the 2d clause, any person who may have been convicted of felony within _____ years of the passing of the Act may, at the discretion of two justices of the peace, either be conveyed to the colony or possession from whence he came, or be sentenced to hard labour on the roads, with or without chains, for _____ years, or be imprisoned, with or without hard labour, for _____ years. By the 3d clause, all property found upon or in the possession of a person suspected of having been convicted of felony within the period stated in the former clauses is to be seized and detained, and in the event of his being convicted and sentenced as aforesaid, will be forfeited.

Now, a man may have been convicted of felony, and have been sentenced by a court of competent jurisdiction to punishments varying from the shortest possible term of imprisonment to transportation for life. He may have undergone the whole of the punishment allotted by law to the offence of which he had been guilty, and be as free to move to any part of the world as if he had never been punished. On his arrival at Victoria, however, should the Bill now before me become law, he finds that he has to undergo a further punishment of _____ years' imprisonment, perhaps with hard labour and in chains, and all his property is taken from him and confiscated.

By the 4th clause, too, a man, having been thus robbed and punished, has not yet seen the end of his afflictions; he is compelled to expatriate himself within three months, (although, by taking his property, the government has, in fact, deprived him of the power of paying his passage), under the penalty of being again dealt with in the same manner, again imprisoned or worked in chains, and, as the bill expresses it, "so or from time to time so often as he shall so remain."

Without attempting to comment upon the mode in which such provisions will operate in filling the gaols and road-parties in Victoria, which is, of course, a matter solely for your consideration, I may point out that they are fraught with the grossest injustice to those persons in this colony to whom Her Majesty may please to grant conditional pardons. Such persons have, according to English law, full power to move to any part of Her Majesty's dominions, with the exception of Great Britain and Ireland, or the country from which they were transported. In Victoria, however, though they have committed no offence they are punished as felons and deprived of their property. If the case be hard with the man who has received a conditional pardon, what must it be to the man who, having received a free pardon, or who, having undergone the whole of the punishment awarded to his offence, is at liberty, according to all the rules of English law, to visit any part of the world, and even to return to his own country. He may go anywhere, in fact, except to Victoria.

Upon this man, should he land upon your shores, you propose to inflict a punishment in addition to that which he has already undergone—a punishment not bearing any relation to the character of the man or to the nature of the offence of which he may heretofore have been convicted, but altogether arbitrary in its character.

The principle of the measure is so evidently unsound, so contrary to all rules of law or equity, that it is hardly worth my while to point out the unsatisfactory nature of the proof required by the 11th section. I may remark, however, that by it the accused person is required to prove his innocence, to show that he has not been convicted of felony in some other country than Victoria,—a proof which it is manifestly impossible for him to adduce in Victoria, and which ought not to be demanded from any man.

Before I conclude, I must beg to be allowed to remark that, in my opinion, the interests of colonies so intimately connected as Victoria and Van Diemen's Land, would be best promoted by a frank and free communication between their respective governments, upon all subjects in which these colonies have apparently conflicting interests. It cannot be denied that the interests of many of the inhabitants of Van Diemen's Land would be most injuriously affected by the passing of the Act in question. I am bound therefore, by my duty, to bring this fact under your notice. I shall, I assure you, be ready to give the most careful consideration to such remarks as you may make upon any measure of the government of this colony which may, in your opinion, tend to the prejudice of any of the inhabitants of Victoria; to do my best to alter or modify them in such a manner as to render them unobjectionable; and, above all, to check, as far as may be in my power, any tendency on the part of individual members of the legislature to commence a system of antagonistic legislation.

I have, &c.
(Signed) W. DENISON.

No. 3.

COPY of a DESPATCH from Lieut.-Governor Sir WILLIAM DENISON to
the Right Hon. Sir GEORGE GREY, Bart.

(No. 53.)

Van Diemen's Land, Government House,
November 21, 1854.

(Received February 12, 1855.)

SIR,

I HAVE the honour to acknowledge the receipt of your Despatch of the 21st of July last with further reference to the disposal of the convicts' earnings in Van Diemen's Land; and in reply to enclose a memorandum from the Registrar of the Convict Department relative to the extract from the report of the Commissioners of Audit on the subject to which you have directed my attention.

I have, &c.
(Signed) W. DENISON.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Enclosure in No. 3.

MEMORANDUM.

IN the Memorandum of the Commissioners of Audit, dated 22d June 1854, enclosed in Sir George Grey's Despatch of the 21st July 1854, the Commissioners suggest that they should be furnished with further information respecting the reserved earnings forwarded from England on account of convicts, the amount of sums paid as private wages of convicts into the savings bank by their employers, the amount paid as private wages to convicts who have arrived at the stage when such wages may be paid to them, and the amounts forfeited to the Crown.

In regard to the first item, I enclose a return showing the amount paid on account of the reserved earnings during the year ending the 30th September 1854.

With respect, however, to the wages of convicts, I have to report, that no wages are paid on account of the convicts into the savings bank, but are in all cases paid direct to the convicts themselves; and with regard to all forfeited monies, that such monies are paid in at the expiration of each month to the Deputy Commissary General, with my declaration that the account is correct, and a detailed statement of the sources from which the money so paid has been received.

I have to add, that a return of the payments made on account of the reserved earnings will be sent in every half year, in accordance with what appears to be the intention of the Commissioners of Audit, until the whole amount is disbursed.

(Signed) W. NAIRN,
Registrar.

Comptroller General's Office,
November 15, 1854.

*Page 82 of Papers on Convict Discipline, presented to Parliament by Her Majesty's Command. February 1855.

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Sub-Enclosure to Enclosure in No. 3.

RETURN of Amounts paid by the Registrar of the Convict Department on account of the reserved Earnings of Convicts during the year ending the September 30, 1854.

	£	s.	d.
Balance remaining on September 30, 1853	-	-	- 352 15 3
Paid during the year	-	-	- 57 13 10½
Remaining on September 30, 1854	-	-	- 295 1 4½

Comptroller General's Office,
November 15, 1854.

I have, &c.
(Signed) W. NAIRN,
Registrar.

No. 4.

No. 4.

EXTRACT of a DESPATCH from Lieut.-Governor Sir WILLIAM DENISON to the Right Hon. Sir GEORGE GREY, Bart.

(No. 69.)

Van Diemen's Land, Government House,
December 11, 1854.

(Received April 17, 1855.)

"I HAVE the honour to forward herewith copies of the remainder of the correspondence which has passed between Sir Charles Hotham and myself on the subject of the Bills submitted to the Legislative Council of Victoria, either by the Government or by individual members, of a similar character to the "Convicts Prevention Bill" already disallowed by Her Majesty.

* Page 5.

"The former letters were enclosed in my Despatch, No. 50,* dated the 17th of November 1854.

"I forward also a copy of the Bill which has been passed by the Council, and been assented to by Sir Charles Hotham, to the Provisions of which I beg to call your special attention.

"In the original "Convicts Prevention Bill" which was disallowed by Her Majesty, some attempt was made to conceal the fact that it was intended to neutralize the operation of the Queen's pardon to men who had been sentenced to transportation, and a clause was inserted professing to save the Queen's prerogative.

"In the present Bill, however, to which Sir Charles Hotham has given his assent, and which is therefore now in operation, no attempt is made to conceal the fact that the object of the Legislature of Victoria is to shut out from that colony, not merely such persons as may have received conditional pardons, but also those whose sentences have fully expired, and who, according to law, are free to go to any part of Her Majesty's dominions. It is, in fact, an Act which is intended to give legislative sanction to that which is stated in your Despatch to Sir Charles Hotham, No. 2†, dated 24th June 1854, to be an obvious injustice, and a serious encroachment on the prerogative of the Crown.

"I need hardly go into an analysis of the different clauses of an Act so objectionable in principle, but I may remark, that, by the 2d clause, it is competent in the magistrates to cause a person apprehended under this Act to be sent back in custody to the country or possession from whence he came.

"Now, were a free man to be sent back to this colony, he would have a right of action against the person holding him in custody, and the consequence would be that such person would, in the present state of feeling in the colony, be dealt with in the most severe manner which the law would allow, although, being a mere agent of the Government, little or no blame could attach to him. This would, in all probability, (looking to the temper of the legislature of Victoria,) produce an attempt at retaliation, which, unless repressed by the Government, would produce the worst effects.

"The 3d clause, by which the property of a man is seized and forfeited merely because he may happen, possibly in ignorance of the law, to land in Victoria, is fraught with the greatest injustice, and, when taken in connexion with the 11th clause, which renders it almost impossible for a man to escape

† Page 96 of Papers relative to Convict Discipline, presented to Parliament by Her Majesty's Command, February 1855.

conviction, whether innocent or not; with the 13th clause, which holds out such an inducement to informers as must lead them to look out for, and pounce upon those persons only whose property will pay them well; with the 14th clause, which renders it impossible for a person who has suffered under the operation of this law to obtain redress, ought, I would submit, to have led to the disallowance of the Bill by the Lieut.-Governor.

"The 16th clause limits the duration of the Bill nominally to one year, but practically to nearly two years, for as the Session of Council is in nine cases out of ten over before the 16th of November, and as the Bill proposes to continue the enactment in force until the end of the next Session of Council, this is in point of fact to continue the operation of it until September or October 1856.

"I trust, therefore, that Her Majesty's Government will not be induced to sanction such a measure for one instant longer than is necessary to convey to Sir Charles Hotham peremptory directions to disallow it at once."

Enclosure 1 in No. 4.

Encl. 1 in No. 4.

Government Offices, Melbourne,

November 20, 1854.

SIR,

I HAVE the honour to acknowledge the receipt of your letter, dated November 13,* 1854, in which you state your objections to a Bill introduced by an independent member of this Legislature, for the prevention of the influx of criminals into Victoria.

*Page 12.

If I could discover the slightest advantage to the public service, by entering into an official correspondence on the extremely delicate and difficult question which has so long agitated this colony, and if I could imagine the probability that by any explanation which could mutually be rendered by the respective Governors of Victoria and Van Diemen's Land a conclusion could be drawn and arrangements entered into which might have the effect of modifying the fixed resolution of the people of Victoria, I would eagerly seek the opportunity to confer with you; but I appeal to your own judgment and experience for an answer, whether such an event is within the pale of probability, and if it is not, surely there is every reason for awaiting instructions from Her Majesty's Government, and not increasing the embarrassment by discussions on a matter of high policy, on which neither of us can *practically* operate, however we may adjudicate.

There are but two points which I shall do myself the honour to bring under your notice, and they have exclusively reference to dates. The Bill introduced by this Government for the avowed purpose of admitting any person into the colony without reference to his former condition, provided he could produce certificates of character, was condemned by a general expression of public opinion, and it was abandoned prior to the receipt of your letter dated 25th October 1854, because it only met with the support of the Government members, and the second Bill introduced by Mr. William Nicholson, a leading influential member, had passed, and obtained my assent, prior to the receipt of your letter dated 13th November.

Finally, I beg to assure you, that in all matters connected with the trade, commerce, and fiscal regulations of our respective colonies, I shall always be happy to entertain any suggestions from you, and benefit by your local and colonial experience, and it is only because I foresee that harm rather than good would come were I to discuss with you a measure of imperial policy, that I have felt it prudent and necessary to adopt the present course.

I have, &c.

(Signed) CHARLES HOTHAM.

Enclosure 2 in No. 4.

Encl. 2 in No. 4.

Government House, Van Diemen's Land,

November 29, 1854.

SIR,

I HAVE the honour to acknowledge the receipt of your letter, dated 20th November 1854.

Having already forwarded to the Secretary of State by the overland mail copies of the correspondence which has taken place between us on the subject of the enactments submitted to the Legislature of Victoria, whereby a serious encroachment on the prerogative of the Crown was proposed, and an obvious injustice inflicted upon many of Her Majesty's subjects in this colony, it is only necessary for me to say, that I propose to forward to Her Majesty's Government, by the first opportunity, copies of your last letter to me, and of the Bill to which you have given your assent.

I have, &c.

(Signed) W. DENISON.

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Enclosure 3 in No. 4.

Encl. 3 in No. 4.

THE new Convict Prevention Act of Victoria provides in the 1st clause that any justice or constable may now arrest, without warrant, any person suspected of having been found guilty of a capital or transportable crime, unless he shall have been resident in Victoria before or at the time of the passing of the Act. The captor, if a justice, may take bail for the appearance of the suspected party. But the Act shall not apply to the case of a person who may have been sentenced in any part of the empire, Victoria excepted, whose sentence shall have expired for a greater period than three years.

By the 2d clause it shall be lawful for the justices before whom such person may be brought, on proof that he has come into Victoria contrary to the provisions of the Act, at their discretion either to take bail that he shall leave the colony within seven days, or cause him to be conveyed in custody to the country whence he came, or to sentence him, if a male, to be kept to hard labour, with or without irons, on the roads or other public works, for three years, or, if a female, to be imprisoned, with or without hard labour, in any gaol for any period not exceeding one year.

All property found on such convicted person is by the 3d clause to be forfeited.

Any person so sentenced, who shall remain in Victoria for three months after its completion, will be liable to re-apprehension and conviction under the 4th clause.

The 5th clause. Any person harbouring or concealing another is subject to a fine not exceeding 100*l.*, or imprisonment for twelve months.

The 6th makes master mariners conveying persons so found guilty liable to a fine of the same amount, or imprisonment for six months, or both.

Search-warrants for suspected persons may be granted under the 7th clause. If such person be found in any house, upon such warrants, all persons found in the house or tenement whom the constable shall have reasonable grounds for suspecting and believing to have knowingly harboured and concealed such suspected person, shall be forthwith taken before any justice of the peace to be dealt with summarily.

The 8th provides that vessels may be boarded by justices or constables.

The 9th and 10th give summary jurisdiction to the justices in these cases, prevents their removal into the Supreme Court, and renders every summons, &c., valid if the offence is set forth in the words of the Act.

The remainder of the clauses have the following provisions in substance :—

11. Oral proof that any person was in any country known to have been or commonly deemed or reputed to have been found guilty of any felony in the United Kingdom, or any British possession other than Victoria, or to have been serving any sentence of transportation or imprisonment for such offence, or the production of any paper purporting to be a "Government Gazette," published in any of the Australian Colonies, and containing the name of any person charged with offending against any of the provisions of this Act, and described in such paper as a convict prisoner of the Crown or transported felon, shall, for the purposes of this Act, be taken as good *prima facie* evidence that such person was found guilty of felony as aforesaid, and proof that any person so found guilty was apprehended in Victoria, at any time after the passing of this Act, not having a fixed and known place of residence, shall be deemed good *prima facie* evidence that such person arrived in Victoria after the passing hereof, unless the contrary be proved.

12. If persons do not forthwith pay fines imposed under the Act, the justices may sentence them to imprisonment, with or without hard labour.

13. Provides that fines and penalties be paid into the Police Reward Fund, except such portion, not exceeding one-half, which the justices may award to the informer.

14. Provides against actions being brought against justices or constables for the execution of the provisions of the Act.

15. Appeal allowed to the next Court of General Sessions of the Peace, to be held nearest to the place in which the adjudication complained of shall have been made.

16. The Act to continue in force for one year, and thence to the end of the then next session of the Legislative Council.

No. 5.

No. 5.

COPY of a DESPATCH from Lieut.-Governor Sir WILLIAM DENISON to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 73.)

Van Diemen's Land, Government House,

December 15, 1854.

(Received March 17, 1855.)

SIR,

(Answered, No. 41, April 9, 1855, page 60.)

I HAVE the honour to acknowledge the receipt of your Despatch of the 1st of September last,* No. 41, relative to the seizure of the "Lady Franklin" while on her way to Norfolk Island.

* Page 83 of Papers on Convict Discipline, presented to Parliament by Her Majesty's command, February 1855.

2. I now forward copy of the Report of the Board appointed to inquire into the circumstances connected with the capture of the vessel; and with reference to your desire to receive some explanation of the reasons which led to my sending convicts to Norfolk Island so late as December 1853, I have the honour to state, that as I had decided to suspend the transfer of the convicts at Norfolk Island to Tasman's Peninsula pending the decision of Her Majesty's Government upon the appeal of the Legislative Council on the subject, I approved of twenty-two men of a very bad class being sent to Norfolk Island, as their secure detention there during a period of twelve months would, it was considered, be of advantage while the new prison, and other buildings in progress at Port Arthur for the reception of the worst class of convicts, were being brought to a state of completion.

3. I have to add, in regard to the disposal of the "Lady Franklin" to which reference is made in the last paragraph of your Despatch, that she has been engaged up to the present time in the transfer of the convicts from Norfolk Island, and that as soon as that service is performed, for which I anticipate a period of two months will be sufficient, she will be disposed of as directed by Her Majesty's Government.

I have, &c.

The Right Hon. Sir George Grey, Bart. (Signed) W. DENISON.
&c. &c. &c.

Encl. in No. 5.

Enclosure in No. 5.

OPINION.

AFTER weighing and carefully considering the whole of the foregoing statements, as well as having during the investigation minutely inspected the different localities of the vessel, a plan of which accompanies these proceedings, it appears to the Board that there was not due precaution used either by the captain and officers of the ship, or the non-commissioned officers of the guard, in the supervision and custody of the convicts who made their escape, and that great laxity of discipline and vigilance did exist among the non-commissioned officers and soldiers forming the guard, (Corporal Naughton excepted,) sixteen in number, as, had they done their duty strictly, and the officers of the ship paid the necessary attention commonly exhibited in the search of the prison, the hole in the deck could not have been cut without discovery, as, from the appearance and thickness of the plank, the convicts must have obtained and improperly had in their possession some instrument having the property of a chisel, as well as another having the property of a saw; and also that a considerable time must have been expended in the operation of cutting the said plank, it being 3 inches thick, 3 feet long by 8½ inches wide.

The sentry over the main hatchway, from the proximity of his post to the aperture made in the prison, could not possibly have avoided hearing or seeing such a proceeding had he been alert on his post and vigilant in the discharge of his duty, particularly as the plank was divided in two pieces, one having been cut by a saw, and the other apparently by a chisel, both had to be forced off the beam to which they were by large iron spikes attached, besides the difficulty of forcing out the caulking.

The orders of the guard seem to have been read and explained, and well understood by the different sentries, but it evidently appears they were not acted up to.

It is therefore the opinion of the Board, that, owing to the inattention and negligence, of the mates and non-commissioned officers in not strictly searching the prison, and the great want of vigilance on the part of the guard, furnished in aid of the civil power especially of the sentry on the main hatch, the convicts on board the ship for conveyance to Norfolk Island were enabled to cut a hole clandestinely through the deck of the prison in which they were confined, and that on the 28th of December last eight or nine of the said convicts got through it, passed into the hold, ascended by the hatch at the foot of the companion ladder, which it appears was never locked, entered the cuddy, took possession of the ship's arms, gained the quarter deck, surprised and disarmed the sentry, afterwards overpowered the captain of the ship and the military watch (five in number) that were sitting on the hencoops, seized the seven loaded firelocks that were in the rack on deck, got command of the ship, liberated the remainder of the convicts, and continued in possession of the vessel until the 9th of January, when they abandoned her, and took to the boats and effected their escape, being at the time about 250 miles north of Norfolk Island.

Sergeant Allen and Corporal Naughton appear to have been the only portion of the military watch that were below (nine in number), who exhibited any disposition to render prompt assistance in repelling the attack, as, had they all been on the alert, their arms loaded, and have acted with the same spirit as shown by Corporal Naughton, and

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had even the watch on deck quickly rushed to their arms and had been aided by the sailors, the ship could not have been captured in the way it was.

No assistance whatever appears to have been offered during the whole of this extraordinary occurrence by the ship's company, with the exception of the captain and chief mate; the second mate, perhaps however, could not from the circumstances in which he was placed render any effective assistance.

Of the ship's company the captain and chief mate were both wounded, the former severely.

Of the military, Sergeant Allen was wounded severely,
Corporal Naughton slightly,
Private O'Keefe severely,
" Keeley "
" Lee "
and, missing " Cosgrove.

The Board begs to record, that during the testimony of Corporal Naughton the letter marked G. and herewith attached was addressed to the President. The contents will best speak for themselves, and the Board forbears making any comments thereon.

(Signed) EDWARD LAST,
Lieut. Col. and President.

We agree in this report with the exception of that }
portion explained in Memorandum underneath. }
GEO. KING, Port Officer.
HENRY PRIAULX, A. C. G.
R. G. HAMILTON, V. M.

We beg to state that we cannot concur with the President and Captain Hamilton in the opinion that the captain of the "Lady Franklin" has laid himself open to the severe censure which is cast upon him in this report. We are of opinion that the only blame that can be imputed to him is for not having himself occasionally visited the prison to see that his instructions were properly carried out

(Signed) GEO. KING, Port Officer.
HENRY PRIAULX, A. C. G.

No. 6.

No. 6.

COPY of a DESPATCH from Lieut.-Governor Sir WILLIAM DENISON to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 83.)

Van Diemen's Land, Government House,
December 25, 1854.

(Received March 17, 1855.)

SIR, (Answered, "Separate," April 15, 1855, page 60.)

I wish to bring under your notice the correspondence which has taken place on the subject of the transfer of Norfolk Island to the inhabitants of Pitcairn's Island, and to make one or two suggestions which may perhaps facilitate the arrangements to be made for the reception and good government of the new settlers.

2. The circumstance that the inhabitants of Pitcairn's Island were desirous to remove from that place to Norfolk Island was brought under my notice in a Despatch from Sir John Pakington, No. 140,* dated 15th December 1852, by which I was directed to report as to the capabilities of the island, and the mode in which the transfer should be arranged.

3. In my Despatch, No. 129,† dated 8th June 1853, I went into a full statement of the arrangements which I considered it would be desirable to make in order to secure the evacuation of the island by the convicts on the 31st December 1854, and the transfer of the Pitcairn Islanders to their new place of residence.

4. The Duke of Newcastle, in a Despatch, No. 181,‡ dated 9th December 1853, acknowledged the receipt of my Despatch, No. 129, and, referring to the arrangements proposed by me, said, "I shall cause proper measures to be taken when the time shall have more nearly approached for supplying a vessel to call for these people at Pitcairn's Island about the month of November 1854."

5. I shall probably have to address you on the subject of the arrangements to be made for the removal of the men and stores from Norfolk Island. As I have not heard that a vessel has been chartered as suggested by me, but my object at present in addressing you is, to submit that Norfolk Island, as it comes

* Page 107 of Papers relative to Convict Discipline, presented to Parliament by Her Majesty's Command, 18th July 1853.

† Page 41 }
‡ Page 88 } of similar Papers, presented May 1854.

within the geographical boundaries of the Colony of New South Wales should, when it ceases to be a convict establishment be placed again under my jurisdiction, as I shall take an interest in the establishment of the Pitcairn Islanders, and shall have better opportunities of watching over them than can fall to the lot of the Governor of Van Diemen's Land.

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6. I would also suggest, that I should have power to appoint a magistrate, and that provision should be made for the payment of his salary, and for that of a police, by the collection of a trifling duty upon imports, or by some mode hereafter to be determined, in order that there may be means at hand to check and control the irregularities committed by the whalers, whose conduct is often productive of the worst effects upon the inhabitants of the South Sea Islands.

I have, &c.

The Right Hon. Sir George Grey, Bart.
&c. &c. &c.

(Signed) W. DENISON.

No. 7.

No. 7.

COPY of a DESPATCH from Lieut.-Governor Sir WILLIAM DENISON to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 85.)

Van Diemen's Land, Government House,
December 26, 1854.

(Received March 17, 1855.)

SIR,

(Answered, "Separate," April 15, 1855, page 60.)

I HAVE the honour to forward herewith a Memorandum of the Comptroller General, relative to the steps to be taken for the removal of the convicts establishment, the military, and the surplus stores from Norfolk Island.

I had expected (in consequence of the communication made to me by His Grace the Duke of Newcastle, in his Despatch, No. 181,* dated 9th December 1853,) that a vessel would have been chartered in England for the purpose not only of conveying the Pitcairn Islanders to Norfolk Island, but of removing the stores and the men who must necessarily be left in charge of the stores and buildings until they are transferred to the new comers.

As, however, I have not received any information of the sailing of such a vessel, and as it is in every way desirable that the establishment at Norfolk Island should be broken up as speedily as possible, I have approved of the suggestion of the Comptroller General that a vessel of about 400 tons should be chartered for the conveyance of men and stores from Norfolk Island to Van Diemen's Land, at a cost of 900*l*. This arrangement is far more economical than the employment of the "Lady Franklin" would be, for one trip of this vessel will be sufficient to clear off stores &c. which would be a sufficient cargo for two or even three trips of the "Lady Franklin."

Some convicts (fifty) with a subaltern's guard of twenty men, will be left on the island till it is finally handed over to the Pitcairn Islanders.

A return of the stores and stock transferred to the islanders, together with a detailed report of the state of the buildings, &c. on the island, will be furnished when the transfer is completed.

I have, &c.

The Right Hon. Sir George Grey, Bart.
&c. &c. &c.

(Signed) W. DENISON.

Enclosure in No. 7.

MEMORANDUM.

Encl. in No. 7.

WHEN the "Franklin" sailed from Norfolk Island in October last 119 convicts remained under punishment on the island, and as she has accommodation on board for 68 two voyages of that vessel will suffice to bring away all these convicts, but not the large number of stipendiaries and stores, and as nothing has been heard of the vessel expected from England to perform this service I am of opinion that the most advantageous arrangement would be now to hire a vessel to proceed to the island.

A superintendent, surgeon, and a few inferior officers must be retained on the island until the whole of the stores and stock proposed to be removed are embarked, but 19

* Page 88 of Papers relative to Convict Discipline, presented to Parliament by Her Majesty's Command, May 1854.

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adult male stipendiaries of all classes can be dispensed with when the "Franklin" is ready to leave the island on the voyage now about to commence, and with them eight adult females and twelve children have to be provided with conveyance.

Transport is also required for upwards of 400 tons of stores, several horses, &c., as well as the military establishment, which should I think be reduced to twenty soldiers to guard the fifty convicts remaining on the island. Under all these circumstances I recommend that the barque called the "Faith," which has been offered by the owner to the government, or some other suitable vessel, should be hired to proceed to the island in about three weeks from this date.

(Signed) J. S. HAMPTON,

His Excellency the Lieutenant Governor.

20th December 1854.

No. 8.

No. 8.

COPY of a DESPATCH from Lieut.-Governor Sir WILLIAM DENISON to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 7.)

Van Diemen's Land, Government House,
January 6, 1855.

(Received April 7, 1855.)

SIR,

I HAVE the honour to forward herewith the yearly report of the Comptroller-General, upon the State of the Convict Department in this colony.

The report itself, and the returns which accompany it, exhibit clearly the state of the department, and require no comments or explanations from me.

I have, however, great pleasure in confirming the account given by the Comptroller-General of good order and discipline maintained at the various establishments, and I am specially gratified in being able to assure you that the precautions which have been taken to prevent the escape of the Norfolk Island convicts from Port Arthur have been most successful.

In forwarding this report, the last which will be submitted to me, I cannot refrain from calling your attention to the conduct of Mr. Hampton in the very responsible situation of Comptroller-General. I have on several former occasions borne testimony to the untiring zeal and energy exhibited by him in superintending all the details of the penal system in this Colony; but I should not do him justice were I not to state that to his administrative talents, as well as to his zeal and energy, the efficient state of the department is mainly due.

I can but express a hope that—when, on the reduction of the convict establishments in Van Diemen's Land, or on their transfer to the Colony, Mr. Hampton's services will be no longer required here,—Her Majesty's Government will be able to avail itself of his peculiar qualifications, in a situation where his administrative abilities will have full scope for their employment.

I have, &c.

The Right Hon. Sir George Grey, Bart.

(Signed) W. DENISON.

&c.

&c.

&c.

Encl. in No. 8.

Enclosure in No. 8.

SIR,

Comptroller General's Office, January 4, 1855.

Nos. 1 & 2.

IN forwarding to your Excellency the following report on the affairs of the Convict Department for the year 1854, I have great pleasure in being able to state, that the establishments under my control are in an efficient condition, that the conduct of all classes of convicts in Van Diemen's Land during the past year has been generally very good, and that the whole of the business of the department is now going on with quiet regularity.

2 The cessation in the middle of the year 1853 of transportation to Van Diemen's Land, and the recent acceleration of the periods for granting the progressive steps of indulgence to convicts, have rapidly produced great changes throughout the department, both in regard to the number of convicts within the colony, and the amount of supervision required for their management, as may be gathered from Returns Nos. 1 and 2, showing in detail the diminution which has taken place in the year 1854 amongst all classes of stipendiaries in the department, and also that, during that period, there has been a decrease of 5,027 in the total number of convicts in Van Diemen's Land.

3. The reductions in progress at the different establishments have lessened the difficulties connected with the supervision of the convicts noticed in my preceeding reports, by admitting of the transfer of officers, who would otherwise have been reduced, to such vacancies as have from time to time arisen,—an arrangement which has also saved expense to the Government in regard to claims for compensation or pension.

4. On the receipt in June last of the Secretary of State's decision as to the transfer of all the convicts from Norfolk Island to Tasman's Peninsula, the arrangements for the removal of the whole convict establishment from the island were at once resumed, and the Government barque "Franklin," the only vessel then available for the purpose, has made two voyages since that date, being now absent on a third, which will reduce the number of convicts on the island to about 50; so that, with the assistance of the vessel recently hired, the transfer can be completed before the end of the present financial year.

5. Although nearly all the very worst of the Norfolk Island and other incorrigible convicts in the hands of the Government are now at Port Arthur, the steps taken for their coercion have hitherto been so successful as to furnish sufficient data to lessen any apprehension which may have existed in reference to the danger connected with the relinquishment of the penal settlement at Norfolk Island, and more especially as to absconding, an offence that has almost entirely ceased on Tasman's Peninsula.

6. The accompanying report of the Civil Commandant and Superintendent contains full and interesting information respecting the Port Arthur Establishment, and the various works in progress there for the coercion of the Norfolk Island convicts, shewing also the small amount of crime and punishment amongst the bad class of men now at Port Arthur, as well as the remarkable decrease in absconding. These and many other improvements recently made at Port Arthur have been produced chiefly by the untiring exertions of Mr. Boyd, the Civil Commandant, whose experience in the management of convicts and devotion to the discharge of his public duties continue to be highly beneficial to the service of the Government. I deem it right in this place to observe that Port Arthur is the only establishment at which any new works are in progress, nothing but the necessary current repairs of the existing buildings being executed at the other stations.

The report of the Superintendent, forwarded herewith, shows faithfully the state of the convict establishments, Hobart, all of which are in a highly satisfactory condition, reflecting great credit on the zeal and efficiency of Mr. May.

8. The following abstract shows, in a comprehensive form, the number and description of all classes of convicts in Van Diemen's Land on the 31st December 1854.

VAN DIEMEN'S
LAND.

No. 3.

No. 4.

Males.

4,229	Ticket-of-leave holders :—						
	Earning their own livelihood	-	-	-	-	-	4,018
	Maintained by Government :	At depôt, awaiting hire	-	-	-	-	0
		Under magisterial sentence	-	-	-	-	178
		In hospitals and invalids	-	-	-	-	33
3,670	Passholders and probationary ticket-of-leave holders :—						
	In private service	-	-	-	-	-	2,228
	Maintained by Government :	At depôt, awaiting hire	-	-	-	-	4
		Under magisterial sentence	-	-	-	-	1,163
		In hospitals and invalids	-	-	-	-	275
509	On probation :—						
	Maintained by Government :	Under primary probation	-	-	-	-	148
		Re-convicted men under order of probation at Port Arthur	-	-	-	-	252
		Re-convicted men under order of detention at Norfolk Island	-	-	-	-	90
		In hospitals	-	-	-	-	19
8,408						Total	8,408

Females.

2,209	Ticket-of-leave holders :—						
	Earning their own livelihood	-	-	-	-	-	2,108
	Maintained by Government :	At depôt, awaiting hire	-	-	-	-	0
		Under magisterial sentence	-	-	-	-	87
		In hospitals and infirmary	-	-	-	-	14
1,077	Passholders :—						
	In private service	-	-	-	-	-	417
	Maintained by Government :	At depôt, awaiting hire	-	-	-	-	7
		Under magisterial sentence	-	-	-	-	509
		In hospitals and infirmary	-	-	-	-	144
24	On probation :						
		Under probation	-	-	-	-	24
		In hospital and infirmary	-	-	-	-	0
3,310						Total	3,310

General Summary.

Maintained by Government, males	-	-	-	-	-	2,162
" females	-	-	-	-	-	785
Not maintained by Government, males	-	-	-	-	-	6,246
" females	-	-	-	-	-	2,525
Grand total	-	-	-	-	-	11,718

22 FURTHER CORRESPONDENCE ON THE SUBJECT

VAN DIEMEN'S
LAND.

No. 5.

No. 6.

9. The detailed statistical information which accompanied my former periodical reports is continued in the various enclosures forwarded herewith, and described in the annexed schedule.

10. Return No. 5 shows minutely how the whole of the department was distributed, of the 31st of December 1854.

11. Return No. 6 shows the number of offences and punishments of male and female convicts at stations and establishments in Van Diemen's Land during the twelve months ended the 31st of December last; and I have only to add that, in the year 1854, the per-centage of crime, or even trifling breaches of discipline, has, in proportion to the whole number of convicts in the colony, been much less than in any previous year.

I have, &c.

(Signed) J. S. HAMPTON,
Comptroller-General.

His Excellency the Lieutenant-Governor.

SCHEDULE of RETURNS and other Documents referred to in the COMPTROLLER-GENERAL'S ANNUAL REPORT, dated January 4, 1855.

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Comptroller-General's Office,
January 4, 1855.

J. S. HAMPTON,
Comptroller-General.

VAN DIEMEN'S
LAND.

(2.)

RETURN showing Number of each of the different Classes of Convicts in Van Diemen's Land on 31st December 1853 and 31st December 1854.

PERIOD.	Maintained by Government.												Not maintained by Government.												GENERAL TOTAL.											
	Ticket-of-Leave Holders.						Passholders and Probationary Ticket-of-Leave Holders.						On Probation.						Ticket-of-Leave Holders earning their own Livelihood.						Passholders and Probationary Ticket-of-Leave Holders in Private Service.						TOTAL.					
	At Depot.		Under Sentence.		In Hospitals and Invalids.		At Depot.		Under Sentence.		In Hospitals and Invalids.		Under primary Probation.		Under 2d Sentence at Penal Settlements.		In Hospitals and Invalids.		M.		F.		M.		F.		M.		F.		M.		F.		Total.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.		
31 Dec. 1853	—	—	285	65	50	5	—	11	1,391	736	334	98	357	123	476	—	29	—	2,922	1,038	4,794	1,638	4,859	1,494	9,653	3,132	12,575	4,170	16,745							
31 Dec. 1854	—	—	178	87	33	14	4	7	1,163	509	275	144	148	24	342	—	19	—	2,162	785	4,018	2,108	2,228	417	6,240	2,525	8,408	3,310	11,718							
Decrease	—	—	107	—	17	—	—	4	228	227	59	—	209	99	134	—	10	—	760	253	776	—	2,631	1,077	3,407	607	4,167	860	5,027							
Increase	—	—	—	22	9	4	—	—	—	—	46	—	—	—	—	—	—	—	—	—	—	470	—	—	—	—	—	—	—	—	—	—	—			
	Total decrease						Total decrease						Total decrease						Total decrease						5,027						5,027					
	Total increase						Total increase						Total increase						Total increase						5,027						5,027					
	Being a total decrease in both sexes of												Being a total decrease in both sexes of												5,027											

J. S. HAMPTON, Comptroller-General.

REPORT of the CIVIL COMMANDANT and SUPERINTENDENT, PORT ARTHUR.

Penal Settlement, Port Arthur, Van Diemen's Land,

January 4, 1855.

SIR,

1. In compliance with the instructions contained in the Deputy Comptroller General's minute of the 30th November last, I have the honour to lay before you the following report relative to the present condition of the establishment under my command, and to submit such general observations connected therewith as appear to me worthy of notice on the present occasion.

2. In my former report, I entered fully into the geographical position of the Settlement, and described at some length the various buildings which it comprises, as also the extent of Tasman's Peninsula, with its adaptation as a most suitable place for the safe custody, coercion, and reformatory treatment of Convicts on a large scale; I further appended to that report a chart of the tracts of land forming Forestier's and Tasman's Peninsulas, with various descriptive plans of the settlement and principal prison, known as the Separate Prison, a copy of the rules for which was also annexed thereto.

3. Having therefore already explained the leading features of this place, and the system of discipline in force, I shall now in this my second report confine my remarks to the operations of the past year, showing the conduct and efficiency of the subordinate officers; the present state of the building; the behaviour of the Convicts—their labour; reception of prisoners from Norfolk Island, and some concluding general observations.

Conduct and Efficiency of the Subordinate Officers

4. The Subordinate Officers at this establishment consist of one Deputy Superintendent two senior assistant superintendents, nine assistant superintendents, eleven overseers five assistant overseers, one chief constable, one district constable, and one schoolmaster, making altogether thirty officers; of these five have been dismissed for misconduct and irregular habits, eleven have resigned their situations with the view of bettering themselves by other employment; one has been superannuated; twenty new appointments have been made, and thirteen have been promoted from lower to higher grades.

The conduct of the subordinate officers generally has been satisfactory, and their attention to the arduous and very responsible duties with which they are entrusted has merited my approbation. There have been, of course, exceptions to this, but making due allowance, I consider them to be a respectable, intelligent, and efficient body.

State of the Buildings.

5. Two new cottages for married officers have been built in front of the old military barracks, and are now inhabited. The eighteen additional cells at the Separate Prison are just about finished. A shed, 150 feet long by 30 feet wide, has been erected on the north side of the harbour for the purpose of employing the Convicts at stone-breaking in wet weather. This provision is found to be of the greatest advantage, as formerly a large number of the prisoners were crowded together into a day-room during the frequent rainy weather which occurs here.

6. A new lime kiln, capable of burning 350 bushels, has been built at the old dock yard; the filling in of that portion of the harbour situated immediately in front of the new prison has been commenced, and is progressing rapidly; this, when completed, will be a very great improvement, as it will not only strengthen and render more durable the new prison by a large space in front of the building being rendered dry, which was formerly exposed to the ebbing and flowing of the tide, producing a constant undermining action upon the foundation,—but the space reclaimed will also provide suitable exercise yards and a spacious muster ground, and on the whole will give the harbour and the Settlement generally an air of neatness and finish which it now greatly requires. The wharf enclosing the boat harbour has been re-constructed and enlarged, and a shed for containing firewood has been provided thereat.

7. But the greatest building operation carried on during the past year has been the conversion of the large Store, referred to in my last report, into a new Penitentiary. This important work was fairly commenced on the 1st September last, and has since that date been pushed on with much energy. 136 cells have been erected in the two lower stories of the building, and the galleries for the upper story partially laid; the Roman Catholic chapel has been considerably advanced, and the large mess room got into a state of forwardness.

8. Much casual work involved in the re-construction of so large a building has been effected, and the whole is being proceeded with in such an active manner that I confidently hope to see the prison ready for occupation by the latter end of the present year.

9. In addition to the prison itself, the erection of other buildings and offices connected therewith has been authorized; these comprise a new kitchen, bakery, laundry, receiving room, hot air drying room, clothing and other stores, general lavatory, waterclosets, workshops, and exercise yards. The kitchen and bakehouse will be commenced immediately.

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10. A new room for containing the prisoners' library, and to answer as a reading room for the officers, has also been approved of, and will be shortly commenced.

11. Some of the officers' quarters have been enlarged and improved.

12. A new clock has been fixed in the tower of the church, and the interior of the church itself considerably improved.

13. With the exception of the old weather boarded erections, the buildings generally at the Settlement are in effective condition.

Behaviour of the Convicts.

14. The Appendix, Return A., shows the number and description of offences committed during the past year; and when compared with the amount of misconduct recorded in my last report, shows a most gratifying diminution: the relative numbers being,—last report, convicts at the settlement, 1,461; number of offences committed, 422. Present report: Convicts, 1,472; offences, 222; showing a reduction of 94 per cent.

15. The offences committed during the past year have been chiefly breaches of discipline and on the whole much milder in character than during the preceding twelve months.

16. There has been no necessity for inflicting corporal punishment during the past year.

17. The modes of correction adopted have been solitary confinement on bread and water, for periods varying from three days to one month; hard labour for periods of from two to eighteen months, and treatment in the separate prison of periods ranging from four to twelve months.

18. As a deterring and reformatory punishment, solitary confinement, with a period of separate treatment following immediately afterwards, I find to be the most effective; and in the greater number of cases I firmly believe that such treatment produces a decided improvement on the convict's future life.

Labour of the Convicts.

19. The annexed Return B., shows the various descriptions of labour at which the convicts have been employed during the past year; and it will be observed that they are chiefly of such a useful character as to be of the utmost importance to the prisoners in qualifying them for colonial pursuits hereafter.

20. I am pleased to state that the great majority of the convicts have manifested steady industrious habits, and have readily taken advantage of the stimulating system of task work employment.

Reception of Convicts from Norfolk Island.

21. 136 convicts have been received from the penal settlement at Norfolk Island during the year just ended; of these twenty were men selected as the worst left on the Island, and from the fearful character transmitted with them, they certainly appear to have been as hardened, imbruted, and violent a class of men as could possibly be assembled together, forming, indeed, a lamentable realization of what might have been expected to form the residuum of that ultra-penal settlement of the empire.

22. Many of these men's characters are frightful in the extreme, both as regards the unnatural and murderous depravity of their dispositions: several have on more than one occasion forfeited their lives, and the whole have endured almost every kind of punishment inflicted under the rigorous laws of Norfolk Island and other penal settlements.

23. As however, Sir, you were present here on the occasions of these men's arrival, and personally directed the manner in which they were to be disposed of, I have been relieved from much anxious responsibility in arranging the course of treatment to be adopted for them, and it is with very great satisfaction that I have now to report the complete success with which that treatment has been attended.

24. Twenty of the worst men were immediately on landing removed to the Separate Prison, that form of discipline having been regarded as not only affording the greatest probability of the convict's amendment, but was deemed absolutely necessary for their safe custody and restraint.

25. The next worst were placed in the quarry and hand cart parties, under careful supervision, while the remainder were ordered to ordinary work, the whole, with a few exceptions, being confined at night in separate cells.

26. By frequent advice, regular attendance at divine service, and the promulgation of good conduct rewards granted to the well conducted convicts, I have much reason to believe the greater part of these formerly desparate and degraded criminals are now anxious to complete their periods of detention in a quiet and rational manner, affording strong hopes of their embracing the encouraging prospects which are set before them of yet doing well in these colonies on regaining that freedom, either partially or fully, to which the worst of them may look forward as attainable at no very distant period.

27. The annexed Return (C.) shows the conduct of the 136 convicts received from Norfolk Island since their arrival at Port Arthur, by which it will be seen that only two have committed any offence requiring punishment, a fact which speaks very forcibly of the general conduct of the class.

28. The accompanying copy of entries made in the Visitor's Register, affords some information respecting the opinions of strangers on the condition of this establishment.

29. In conclusion, Sir, I beg to express my deep sense of the invaluable assistance which I have received from yourself during your frequent visits to this settlement. To the detailed instructions which you have verbally, and in writing, laid down for my guidance, inscribe mainly the success which has attended my first year's command here. Much has been done to improve discipline, the efficiency of the buildings and the establishment generally, as well as to secure that practical reformation amongst the convicts which is the great object kept in view, and from the uniformly quiet and orderly state of the place, together with the great decrease in the number of offences committed, and the almost total absence of every thing which can fairly be termed crime, I feel assured that when the various buildings now in progress have been completed, and the contemplated arrangements perfected, the character of this important institution will be rendered such as to make it a formidable place of punishment to the incorrigible, and one in which under the ameliorating influences in operation, the convicts generally will be taught to regard their true interests, present and future, and to prepare themselves for restoration to society as useful members thereof.

VAN DIEMEN'S
LAND.

The Comptroller-General,
&c. &c.

I have, &c.
(Signed) J. BOYD,
Civil Commandant.

A.

RETURN showing the Conduct of the Convicts at Port Arthur, and the Number of Individuals under Penal Detention on the Settlement, between the 1st January and the 31st December 1854.

Period.	Number of individual Convicts at the Penal Settlement, Port Arthur, during the Year 1854.	Detailed Statement of Offences adjudicated upon by the Civil Commandant and Assistant Magistrate.									Offences and Punishments.													
		Insubordination.	Common Assaults.	Larceny under 5 <i>l</i> .	Uttering Counterfeit Coin.	Absconding.	Wilful Destruction of Property.	Idleness.	Disobedience of Orders.	Misconduct consisting of Breaches of Prison Discipline.	Total Number of Offences committed.	Description.	7 Days' Solitary Confinement and under 14 Days.	14 Days' Solitary Confinement and under 30 Days.	1 Month Solitary Confinement.	18 Months' Hard Labour.	12 Months' Hard Labour.	9 Months' Hard Labour.	6 Months' Hard Labour.	3 Months' Hard Labour.	1 Month's Hard Labour.	Heavy Irons and Quarry Gang.	Strict separate Treatment in new Separate Prison for violent and refractory Conduct.	Total.
1st Jan. to 31st Dec. 1854.	1,472	2	6	7	1	10	1	7	25	163	222	Insubordination	-	-	1	-	1	-	-	-	-	-	-	2
												Assault	-	-	3	2	1	-	-	-	-	-	-	6
												Larceny under 5 <i>l</i> .	-	-	6	1	-	-	-	-	-	-	-	7
												Uttering Counterfeit Coin	-	-	1	-	-	-	-	-	-	-	-	1
												Absconding	-	7	2	1	-	-	-	-	-	-	-	10
												Wilful Destruction of Property	-	1	-	-	-	-	-	-	-	-	-	1
												Idleness	-	3	-	-	-	4	-	-	-	-	-	7
												Disobedience of Orders	-	10	-	4	-	8	2	-	1	-	-	25
												Misconduct, &c.	-	38	-	55	-	58	11	-	-	1	1	163
												Total	-	51	13	10	63	-	70	13	-	1	-	222*

Strength of the Establishment on 1st January 1855 - - - 793.

* Of this number 42 have been placed in separate treatment for improvement, for periods varying from 4 to 12 Months.

The Comptroller General,
&c. &c. &c.

J. BOYD, Civil Commandant.

VAN DIEMEN'S
LAND.

B.

Penal Settlement, Port Arthur,
January 8, 1855.

RETURN showing the various Descriptions of Labour at which the Convicts have been employed between the 1st January and the 31st December 1854.

Agricultural.	Nail making.
Basket making.	Painting.
Baking.	Pile cutting.
Blacksmiths' work.	Pile driving.
Bookbinding.	Pile shoeing.
Boat building.	Plastering.
Boat's crew.	Quarrying.
Brickmaking.	Road making and repairing.
Bricklaying.	Sawing.
Broom making.	Servants.
Blasting blue Whinstone.	School-keeper.
Carpentering.	Shingling.
Cooking.	Shoemaking.
Charcoal burning.	Splitting palings, shing es, &c
Coopering.	Shell gathering for lime.
Cutting logs.	Straw plaiting.
Draftsman.	Stone cutting.
Engineers and pattern makers.	Stone breaking.
Excavating and removing Earth and Stone by Railway.	Store labour.
Filling up Harbour by Railway.	Signal Posts.
Fencing.	Sub-overseers or gang messengers.
Gardening.	Tailoring.
Harness making.	Tin-plate working.
Laying and repairing Railroad.	Wheelwrights' work.
Lime burning.	Wood cutting.
Masons' work.	Water carrying.
Messengers.	Wardsmen.
Mat making.	Watchmen.
Moulding (Brass and Iron).	Washing.
	Writing.
The Comptroller-General, &c. &c.	J. BOYD, Civil Commandant.

C.

RETURN showing the Conduct of the Convicts received at Port Arthur from the Penal Settlement, Norfolk Island, between 1st January and 31st December 1854.

Number of Convicts received.	Number of Convicts who have been punished.	Offences.	Remarks.
136	2	Disobedience of Orders, 6 Months' Hard Labour. Breach of Prison Regulations, 14 Days' Solitary Confinement.	134 have not committed any Offence.
The Comptroller-General, &c. &c.		J. BOYD, Civil Commandant.	

EXTRACT from VISITORS' REGISTER.

Port Arthur, March 31, 1854.

It may appear strange to hear a traveller declare that he spent some of his most interesting and pleasant days, during a journey of some months in these colonies, in an establishment of convicts. I however give that declaration with the utmost sincerity on leaving Port Arthur; and I believe that anyone who takes an interest in the *triste* fate of his fellow men, residing here as convicts, will leave this place with the same impression. Everything convinces a visitor that the object is not *only* to banish them from society, and to make them harmless, but that every available measure is taken to improve them, morally and intellectually, and to make them better men; and every one who sees, as I have witnessed, the unceasing endeavours of the worthy man to whose care this establish-

ment is entrusted, will join his best wishes to mine that he may see his endeavours crowned with success, and reap blessed fruits from his zealous endeavours in his very important task.

I cannot leave this without speaking also, as highly as possible, of the kindness and civility I have found at Port Arthur from the officers who attribute so much importance to make a stranger's stay at this place highly agreeable,

(Signed) J. W. GOETZIE,
Merchant, Java.

VAN DIEMEN'S
LAND.

April 7, 1854.

VISITED the various establishments in Port Arthur, and was very much pleased with all I saw; the cleanliness, order, and discipline everywhere evident is in the highest degree creditable to those in charge of the settlement; the civility and intelligence of the officers is pleasing; the efforts made towards the reformation of the prisoners seem well calculated to succeed in doing much good; I doubt if any prison establishment in the world is superior to this.

(Signed) FRANCIS JEFFREY COCKBURN.

April 18, 1854.

HAVING had time, and every facility afforded me by the politeness of the Commandant and the officers of this institution, of inspecting the Port Arthur Penitentiary, I have great satisfaction in placing on record the pleasure I have derived from observing the order, regularity, and perfect neatness carried out in all departments of this interesting establishment.

The neatness of the bed and mess rooms, as well as the regularity, observed in all departments, betoken the care that is bestowed to preserve the health of the prisoners, and promote their moral training. I have had the pleasure to follow the prisoners to their evening studies, and heard delivered in the school room, by one of their number, an interesting lecture that could not fail to produce its good effects on the minds of his hearers; and I trust and believe, that the advantages proposed by the Commandant by introducing this method of amusement and moral teaching, will have a beneficial result in attracting the minds of the prisoners. Under Mr. Boyd's guidance I had opportunities of twice visiting the new prison, and was forcibly struck with the strict stillness that is observed in carrying out that system of reformatory punishment. I trust that the Commandant's efforts in carrying out order and discipline may ever meet with that success which his exertions and zeal in the cause merit.

(Signed) HUGH BOYD,
Major, Bengal Army.

May 1, 1854.

I HAVE never visited any establishment of this nature that has afforded me greater pleasure or instruction than this one of Port Arthur; the whole of the economy and arrangements are admirably adapted for carrying out the intended object of reformation to the worst class of convicts. I should like much to see a similar plan adopted in England, as I believe it would have the effect of preventing a great deal of crime. To the kindness and facility afforded me, by both the Comptroller-General as well as the Civil Commandant, in explaining to me the whole system, I have to return many thanks.

(Signed) ALFRED SPENCER CHURCHILL.

July 10, 1854.

I HAVE with much pleasure visited this establishment, where everything connected with prison discipline is conducted with admirable precision and regularity; the system is carried out with every regard to the comfort of the prisoners; the order and cleanliness of the establishment are above all praise, and reflects great credit on the abilities and care of the Civil Commandant.

(Signed) JAS. DUFF MACKAY,
Paymaster, Half-pay, 50th Foot.

July 10, 1854.

It is with great pleasure I have seen that everything that can possibly reform prisoners is here carried out. The prison is second only to the Portland Penitentiary, and reflects the greatest credit to the exertions of the Civil Commandant

(Signed) HENRY SMITH,
Ordinance

VAN DIEMEN'S
LAND.

August 28, 1854.

GRATIFIED as I have felt at witnessing the admirable working of the system here adopted, I have been more especially pleased to learn that this regularity, order, and decorum are enforced without resorting to corporal punishment. The substitute afforded in permitting men to curtail by extra labour the period of their imprisonment is proved to work most beneficially. I can only in conclusion express my regret that our criminals at home should no longer have the advantage of this excellent institution.

(Signed) F. A. ANGUS,
Lieut. Bengal Army.

November 13, 1854.

I HAVE had great pleasure in visiting Port Arthur, where every kind attention has been paid me, and every opportunity furnished to me to inspect the convict establishment, with which I have been much gratified. I never could have supposed that such an establishment could have been conducted with such order, and so free from every irregularity.

(Signed) GEORGE MORPHETT.
Adelaide.

January 4, 1855.

I HAVE inspected, with much satisfaction and instruction, the whole of this establishment, which appears to me to be conducted in as perfect a manner as any establishment of the kind can be. I have been particularly struck with the extreme order and cleanliness which prevail through every department, and the healthiness and orderly conduct of the prisoners. The suitable adaptation of employment to the pre-required skill of each individual, and the systematic inculcation of practical knowledge in the School house, appear to me especially deserving of notice, as calculated to divert individual energy from the erratic or morbid habits induced by crime into a healthy channel. The silent (separate) system, as applicable to extreme cases, is a great experiment, and may possibly prove superior to the old plan of corporal punishment; but a fear may possibly be justified lest it should lead to a collapse of the mental faculties from their long disuse, or to morbid habits of the mind in itself from the absence of external excitement. I have visited other penal establishments, but I have never seen any which attest the same care and ability on the part of those in charge as that on this Peninsula.

(Signed) J. PALMER,
Speaker, Legislative Council, Victoria.

(4.)

REPORT of the SUPERINTENDENT of the CONVICT ESTABLISHMENT, HOBART TOWN.

SIR, I have the honour to submit to you the annual report of the Convict Establishments, Hobart Town, Van Diemen's Land, January 2, 1855.

In compliance with your instructions, I have the honour to submit the following annual report on the discipline, management and general state of the convict establishments in Hobart Town, under my superintendence; and at the same time, to forward the accompanying returns connected therewith, together with the report from the Schoolmaster relative to the educational attainments of the convicts, the present state of the schools, &c.

First, as respects the Prisoners' Barracks and Male House of Correction.

State of the Buildings.

2. The various buildings, yards and other portions of the establishment are generally in good repair, and but few alterations of any importance have been found necessary. The following may be noticed:—Owing to the apparent dangerous state of the church roof, a careful survey was instituted by officers of the Royal Engineer Department, when it was considered desirable to renew it throughout, which has just been completed, and the building has again been occupied for divine service. An enclosed shed is in course of erection for the protection of the various carts belonging to the establishment, and a portion of the unoccupied attic over the dormitories has been converted into a store, as a depository, exclusively for the private clothing and property of prisoners under orders of removal to Tasman's Peninsula, the latter addition being found necessary to carry out your instructions, that the effects belonging to convicts, under such orders, should be retained at the prisoners' barracks until their return, with a view to prevent the facility that was afforded to absconders from the various stations in obtaining private clothing. In these works prison labour has been only employed.

Conduct of the Officers.

3. The general conduct of the Discipline Officers has given every satisfaction, with one or two exceptions already brought under your notice. I cannot speak too highly of the most willing and able support rendered me by the Deputy Superintendent, Mr. Reidy, who not only performs his duties most correctly and cheerfully, but takes evidently great interest in the welfare of the establishment and its inmates.

4. A charge of embezzlement of Government monies, I regret to state, has been preferred against the Chief Clerk, Charles Knight, for which offence he was convicted and sentenced to 14 years transportation.

Reduction of Officers.

5. Owing to the reduced strength of the establishment, the following appointments have been dispensed with:—One Hiring Clerk, one Clerk to the Visiting Magistrate, one Assistant Overseer, one Night Gatekeeper, one Schoolmaster, and six constables. It is anticipated that still further reductions will be shortly effected.

Conduct of Prisoners.

6. The prisoners generally undergoing sentences to punishment here, have conducted themselves most satisfactorily. The inmates, however, are so fluctuating, that the number of offences and punishments in one year is scarcely a test of their conduct, or of the efficiency of the discipline enforced. Many of the prisoners remain in the building but a few days, consequently breaches of the prison regulations, and other minor irregularities, will occur, owing to the men not having become fully acquainted with the routine.

7. The total number of offences committed within the building during the past year has been 125. Vide Return (A).

8. I am glad to be able to report of the industry of the convicts generally, employed both on the works and within the walls of the prison, as also of their orderly and respectful conduct.

9. The task-work system continues in active operation, the good results from which have been equally evident, as detailed in former reports, both as regards its beneficial effects upon the character of the men, as also its utility in accelerating the progress of labour, the convicts anxiously availing themselves of its privileges.

10. The several working parties are visited frequently by myself and the Deputy Superintendent. The heads of departments and overseers all concur in observing that, as a duty, no men could have exercised greater industry and propriety of conduct during the hours of labour.

11. It has been occasionally necessary, in cases of emergency, to call upon the convicts to work after the regulation hours, and frequently to undertake employment of a severe and disagreeable nature, which has at all times been performed with the greatest cheerfulness and alacrity. Upon two occasions, during the past year, I had the honour to bring specially under your notice the indefatigable exertions of the convicts who were engaged in preserving property, and rendering aid at the disastrous and unprecedented floods. For their exemplary conduct on these occasions, his Excellency the Lieutenant Governor, on your recommendation, was pleased to approve of a remission of a portion of the sentence of each convict so employed. There has not been a single case of idleness reported during the year, although the men, as far as practicable, are employed on task-work.

Treatment of Prisoners.

12. Every care has been taken to carry out, to their full extent, the prison regulations as to cleanliness, discipline and regularity. The convicts have daily opportunity of communicating their wants or complaints, should they desire to do so; these particulars are entered into a book kept for that purpose, as also the manner in which such applications have been disposed of by the Superintendent; this book is laid before the Visiting Magistrate for inspection. There have been no complaints preferred against the officers for harsh and improper treatment, and indeed few have been made of any description. Every encouragement to induce good behaviour is held out to the prisoner, at the same time the regulations as regards the enforcement of discipline and hard labour, which are of a character strictly coercive, yet reformatory, are rigidly carried out.

Religious and General Instruction.

13. The system of instruction followed during the year, the subjects taught, &c., have been similar to those pursued in the preceding year, as fully detailed in the Catechist's last report.

14. The prisoners, in association, have attended school two hours every evening, and the improvement made by them, under the system adopted, is very gratifying, particularly when the fluctuating state of the establishment is considered. Prisoners undergoing separate treatment, and those awaiting removal to out stations, are visited frequently by their respective chaplains, and the catechist is constantly engaged in reading and imparting instructions to them, and generally with good effect.

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15 On sundays the prisoners of all denominations attend two full services, morning and evening, and in the afternoon for two hours at the catechetical classes; and at these times it is particularly gratifying to hear their correct replies to the interrogatory lectures.

16. I cannot omit, in this portion of my report, making mention of the faithful manner in which the Catechist, Mr. Smales, has performed the important duties assigned to him; it has been with the most unremitting and untiring zeal and perseverance.

Demand for Convict Labour.

17. Notwithstanding the cessation of transportation, and the recent large importation of emigrants, the applications for convict labour have not, in the slightest degree, diminished; during the year 2,612 passholders, who have emerged from punishment, and who form the only class of prisoners now available for engagement, have been discharged to private service; and there are at the present time 687 applications still unsatisfied.

18. The distribution of passholders for private service, the returns of which are previously submitted for your approval, has been conducted in a manner which has afforded general satisfaction.

General Observations.

19 The Medical Officer visits daily; any prisoner requiring to consult him has every opportunity of so doing. Those who are exempt from labour, or who require any lengthened treatment, are removed to Her Majesty's General Hospital, which is situated near this establishment. The prisoners generally are remarkably healthy, and have escaped any prevailing epidemic.

20. The number of prisoners of all classes, received and discharged during the year ending the 31st December 1854, making a total of changes of 12,359, will be found fully detailed on reference to the appended Return marked (B.), as also the number of free persons received under commitments to the House of Correction. Although an increase in the number as compared with that of the previous year, a diminution has taken place in the recommitments.

21. The penitentiary garden, containing an area of 8 acres 2 roods, is in a high state of cultivation; the ensuing season promises well. It is cropped with vegetables most profitable for the use of the establishment, which, it is anticipated, will contribute largely to the supply required for the prison. The lengthened drought last season caused the almost total failure of the potatoe crop, a loss experienced generally throughout the colony. A return, marked C., is annexed, showing the value of the vegetables produced, as also of the pork raised at the piggery.

22. The order and regularity in the several dormitories have been effectually secured. An officer remains on duty during the entire night, whose duty it is to perambulate the divisions; he is frequently visited by the officers of the establishment, in rotation, at uncertain intervals.

23. The noctuary clocks, now in general use, have been found of infinite service in enforcing due vigilance on the part of the night watches throughout the establishment.

24. The fire engine has been kept in perfectly effective order, and on more than one occasion has rendered valuable assistance to the inhabitants, which has been most favourably commented upon by them.

25. It may be noticed that there has not been a single case of corporal punishment throughout the year, which remark, I may venture to affirm, might be extended to the convict establishments generally.

26. In accordance with the instructions received, the entire management and control of the stone-shed and quarry, which forms a portion of the Male House of Correction, but which was previously vested in the corporation, has been handed over by that body to the Convict Department, and placed immediately under my superintendence. By this arrangement a greater quantity of work has been performed, and it will prove a source of profitable employment, as the class of men so occupied are only those who are exempted from hard labour by the medical officer's certificate. The metal broken has been supplied to the public departments at four shillings per load.

27. The local regulations of the prison have been regularly read at the general inspection of the prisoners on Sunday mornings. The Visiting Magistrate attends these inspections on the first Sabbath of each month. The men are also daily inspected by myself previous to their proceeding to labour.

28. The rations provided by the several contractors have been fully in accordance with the conditions of their respective tenders.

29. Bread, averaging 2,100 lbs. daily, for the consumption of the following establishments, viz., Prisoners' Barracks, Cascade Factory, Brickfields, Her Majesty's General Hospital and Gaol, has been made in the prison from wheat ground by tread-wheel labour. Biscuit for the service of the Convict Marine Department, has also been supplied without any additional cost to the Government beyond that of the materials used. This was found necessary, owing to the high terms demanded by contractors, attributable to the scarcity of labour.

30. The regulations for the enforcement of the discipline of the tread-wheel, which we detailed in my last report, have been fully observed. An improvement has been made in the indicator, which mechanism is now attached to the extreme end of the wheel-shaft, and which not only regulates the periods of the prisoners' ascending and descending to and from the wheel, but also shows the number of hours it has been actually revolving, the number of feet and steps in ascension, and how many evolutions since the labour commenced in the morning.

31. Many visitors have availed themselves of the facility at all times afforded them of inspecting the establishment; their opinions, without exception, have been most favourable as regards the prison generally, and the discipline enforced. A copy, marked D, of all the entries, is annexed.

32. The following returns are appended in conjunction with this portion of the report:—

- (A.) Return of offences committed within the building during the year 1854.
- (B.) Return showing the number of prisoners received and discharged during the year ending 31st December 1854.
- (C.) Return showing the quantity of vegetables produced at the penitentiary garden, also the pork at the piggery, together with their value at contract price.
- (D.) Extract from visitors' register.
- (E.) Return shewing the strength of the establishment on the 31st December 1854.

Secondly, as regards the Cascade Factory, Female House of Correction, and Brickfields Establishments.

State of Prison Buildings.

33. The various buildings at the cascade factory are generally in effective condition, and but few alterations or acquirements have been found necessary. The new entrance to the church from the yards, referred to last year, has been completed; the roof (with additional sky-lights inserted) has been re-shingled; the relaying of the flagging in the front yard, consequent upon the removal of the several division walls, is in a forward state of completion; the yard adjoining the new mess-room, not being required for general purposes, has been converted into a drying ground, and fitted with every necessary convenience for that department.

34. A room has been set apart, and used as a library; the books have been carefully selected, arranged on shelves, with catalogue and reference numbers. A table and seats, with lights, have been conveniently placed, in order that the officers of the establishment may repair thither, when so disposed, for the purpose of availing themselves of its recreation when the duties of the day have ceased.

35. The roofs of several of the buildings have been renewed, and various slight repairs are being completed as fast as circumstances will allow.

36. The severe floods during the past year caused considerable injury to the exterior of the building; the two bridges, forming the only approach, having been entirely washed away; these damages have now nearly been repaired.

Conduct and Efficiency of Officers.

37. The several officers of the prison, (all females but two, who are married,) have evinced a cheerful and ready desire to comply with and carry out carefully the rules and regulations laid down for their guidance. The Matron, Miss M'Cullagh, and the Senior Assistant Superintendent, Mr. Dinham, have been unremitting in the performance of their duties.

38. The following reductions in the staff of officers has been effected during the year; viz., a Protestant catechist, a Roman Catholic catechist, one hiring clerk, and one junior clerk; the duties of the office being now divided between the Senior Assistant Superintendent and the storekeeper.

Conduct of Prisoners.

39. The behaviour of the female prisoners generally has been such as will doubtless speak sufficiently for the system adopted. The average daily strength of the establishment has been, during the past twelve months, 535 convicts and 42 civil prisoners; the total number of offences committed, and tried before the Visiting Magistrate, within the same period, has been 12; being $\frac{1}{42}$ per cent. upon the population. Vide Return (F.)

40. As will be observed, no escape has occurred from the prison, although one ineffectual attempt was made. As regards the solitary instance of insubordination, noticed in the above return, I may remark that the general ill conduct of Elizabeth Elemore would rather confirm an opinion of her being, at certain periods, insane. On reference to this woman's record, it is found that since her arrival in the colony, per ship "Gilbert Henderson," she has been convicted of stabbing, and sentenced "Death recorded." For this offence she was transported for life, and ordered to be confined in the Female House of Correction, in a separate working cell, for three years. In addition to several other offences, chiefly of a violent nature, Elemore has been tried on five occasions for insubordination.

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41. The number of minor irregularities, disposed of by myself, has also been extremely low, the inmates, as at the male establishment, being of so fluctuating a character; these offences, however, have been of so trifling a nature, that they would be overlooked, but for the stringent order that every breach of the prison regulations is required to be reported, and which are generally disposed of by admonition, short periods of separate treatment, or solitary confinement.

42. The prisoners received from Launceston and Ross factories, in consequence of the reduction of those establishments, have, as a body, been orderly and well conducted. The fact of the women, both in association and those under separate treatment, being kept constantly and steadily employed during the hours set apart for labour, as also their not at any other time being permitted to assemble in groups, but fall into rank, and walk in a quiet and orderly manner through the yards, renders the arrangement effective to check any improper behaviour or conversation, and also enables the officers in charge of each division to detect immediately any irregularity that may occur.

43. Beneficial results continue to be manifested by the system of public reading in the dormitories. Here free officers remain on duty during the entire night, and are visited, as at the Male Penitentiary, which has tended to maintain the highest state of order and quietude.

44. Noctuary clocks are also in use at this establishment, by which similar results are attained as at the prisoners' barracks.

45. The moral training of the prisoners is carefully attended to, and every encouragement is held out for the purpose of inducing a reformation. The prison is visited daily by the chaplain of each persuasion; morning and evening prayers are also read with them, together with a portion of the Scriptures, and a brief explanatory address. On the Sabbath morning a careful inspection of the main body of prisoners is made by the Matron and the Senior Assistant Superintendent; the orderly and respectful demeanour of the convicts is, on these occasions, commendable.

46. Two full services are performed on Sundays, and the new organ, recently received from England, has been conveniently placed in the church, tending in no small degree, towards generating a more solemn feeling amongst the listeners, and materially assists in harmonising the voices when singing devotional praises.

Labour of Prisoners.

47. The period appointed for labour is ten hours in summer, and seven and a quarter during the winter months. The labour at which the prisoners have been employed has consisted in performing the washing and needlework for the following establishments; viz., the Prisoners' Barracks, Her Majesty's General Hospital, the Military Barracks, the Queen's Orphan School, and the Brickfields; which, together with the washing and needlework for private individuals, has proved abundant means of employment.

48. Prisoners who, from bodily infirmity or other causes, on medical certificate, are removed to the Brickfields Establishment, and employed at light labour, as spinning, knitting stockings, and picking hair and oakum; this work is performed for private individuals at regulated charges.

49. In consequence of the difficulty in obtaining weavers, and the labour of the women being otherwise profitably employed, the manufacture of cloth has been discontinued.

50. The female prisoners, as far as practicable, continue to be employed under the task-work system; its beneficial effects have been so minutely detailed in former reports, that it may be merely necessary to remark that the salutary influence has in no degree diminished.

Demand for Female Convict Labour.

51. So numerous have been the applications for this class of servants, and so few women available for service, it was found necessary to enter each applicant's name into a register, and supply them according to priority of claim. There are at present 200 names registered for servants, and a few months back as many as 400 existed, when it became expedient to issue a notice to the public, to the effect that, owing to the numerous applications, it would take three or four months ere the last request could be complied with.

52. Although the nominal rate of wages required by the Government is but small,—10*l.* per annum,—it is no unfrequent occurrence to find engagements entered into at 15*l.*, 20*l.*, or even 25*l.* per annum.

Health of Prisoners.

53. The inmates of the Cascade Factory have been, and are at the present, remarkably healthy. There can be no doubt that the great regularity and order, as well as the extreme cleanliness prevailing throughout the establishment, together with the care observed in the supervision of all articles of food and clothing issued for the use of the prisoners, tends greatly to this end. The abundant supply of water, thorough drainage and ventilation, adds materially to the sanitary condition of so extensive a prison.

54. It is a singular fact that, during the prevalence of the various epidemics, the scarlet fever, measles, small-pox, &c. &c., raging in Hobart Town—indeed, the colony generally—there was not only not a single case of sickness from either of these diseases, but there existed fewer cases of any kind requiring medical treatment.

55. The average daily number of sick in the hospital has been eight, including one in the Lying-in Ward, all of whom have received the most assiduous attention from the Medical Officer, Mr. Benson, C.S.

56. The mortality amongst the adults during the year 1854 has been 4; the cause of death, in these instances, has been ascribed to diseases nurtured previous to their being received into prison, and, in most cases, caused by their own indiscretion and continual intemperate habits. - Vide Return (G.)

57. Some few months ago it was the opinion of the Medical Department that the number of deaths amongst the children was on the increase, and which was considered attributable to local causes; their removal in consequence, with mothers and nurses, to the infirmary attached to Her Majesty's General Hospital, was recommended and immediately approved of. The portion of the building formerly made use of as a nursery has been converted into work rooms and dormitories, now much required by the arrival of women from Launceston and Ross.

General Observations.

58. The remarks under the head of "treatment of prisoners" at the prisoners' barracks, are equally applicable to this establishment.

59. The number of prisoners, of all classes, received and discharged during the year ending 31st December 1854, will be seen on reference to Appendix H.

60. The separate apartments have been constantly tenanted during the past year; the regulation directing that each prisoner, upon being received into the establishment, should undergo half of her punishment sentence under the system, has, as far as practicable, been carried out; but owing to the small number of apartments available, the average period of each woman's detention has not exceeded 30 days.

61. Much surprise is entertained by visitors at the perfect order and quietude prevailing throughout the establishment amongst so numerous a body of convict women, without the aid or adoption of severe coercive measures, and with the presence of so few male officers.

62. I may here allude to the gratification experienced upon the occasions of his Excellency the Lieutenant Governor's visits to the convict establishments, who, at these times, has been pleased to express his approbation with the cleanliness and general arrangements of the buildings, and neat appearance of its prisoner inmates.

63. With regard to the Brickfields Establishment, I have but few remarks to offer. The buildings have been kept in good order, the upper portion of which has not been occupied. The lower building is used as the receptacle of the aged women from the Cascade Factory, referred to in paragraph No. 48; as also for the infirm and invalid prisoners removed thither from the Infirmary when this institution was converted into a nursery, as referred to in paragraph No. 57.

64. The establishment is conducted by two officers (man and wife).

65. In conclusion, Sir, I beg to express my sincere thanks for the very kind assistance you have at all times rendered me, as also for the numerous references I have been permitted to make to you; which circumstances, in connexion with the cordial feeling that exists, not only with your own office, but with all the departments with whom I may have occasion to confer, tend very much to facilitate and expedite the onerous duties entrusted to my charge.

66. The following returns are also appended in reference to the foregoing observations upon the Female Convict Establishments:—

- (F.) Return showing the number and nature of offences tried before the visiting magistrate during the year 1854.
- (G.) Return showing the average number of sick in hospital, and mortality, during the past year.
- (H.) Return showing the number of prisoners, of all classes, received and discharged during the year ending 31st December 1854.
- (I.) Return showing the strength of the female establishments on the 31st December 1854.
- (J.) Extract from visitors' register.

I have, &c.
(Signed) J. M. MAY,
Superintendent.

VAN DIEMEN'S
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A.

RETURN of Offences committed within the Prisoners' Barracks, Hobart Town, during the Year 1854 ; also the Per-centage upon the Prison annual Population.

Number of Offences.	Prison Population in 1854.	Per-centage Offences.
125	12,998	$\frac{15}{16}$

J. M. MAY,
Superintendent.

B.

RETURN showing the Number of Prisoners of all Classes received and discharged at the Prisoners' Barracks, Hobart Town, during the Year ending the 31st December 1854.

Civil Prisoners.		Ticket-of-Leave Holders.		Passholders.		Under Primary Probation.		Total Number.		Grand Total Number of Changes.	REMARKS.
Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Received.	Discharged.		
1,004	990	881	986	4,218	4,061	101	118	6,204	6,155	12,359	

J. M. MAY,
Superintendent.

C.

RETURN showing the Quantity of Vegetables raised at the Penitentiary Garden, and Pork produced at the Piggery, during the Year 1854, also the Value of each at Contract Prices.

Vegetables.	Pork.	Value at Contract Price of		Total Value.
		Vegetables.	Pork.	
lbs. 34,408	lbs. 1,217	£ s. d. 340 9 4	£ s. d. 27 8 7	£ s. d. 367 17 11

J. M. MAY,
Superintendent.

D.

Prisoners' Barracks, Hobart Town,
January 2, 1855.

EXTRACT from VISITORS' REGISTER for the Year 1854.

1. January 5, 1854.
Having this day visited the Hobart Town Penitentiary, I have great pleasure in recording my admiration of the discipline and cleanliness observable throughout, and also in bearing testimony to the civility and attention shown by the authorities.

(Signed) G. W. RUSDEN,
Clerk of Executive Council, Victoria.
GILBERT A. AMOS, J.P.,
Assistant Commissioner, Port Phillip.

2. January 9, 1854. VAN DIEMEN'S LAND.
We have this day visited the Hobart Town Establishment and been much pleased with the whole arrangements.
(Signed) D. MACDONALD, Calcutta.
C. CLUMLY, Melbourne.
A. GABRIELL, Melbourne.
W. W. BROWN.
3. January 13, 1854.
I have this day had the gratification of inspecting this extremely well conducted and remarkably clean establishment, and freely confess I never saw any similar establishment in England or the United States to equal it.
(Signed) BYRON D. CLAYTON.
4. January 17, 1854.
I cannot do better than adopt the preceding observations in which I fully concur.
(Signed) THO. HOWARD FELLOWS.
5. January 17, 1854.
Having this day visited this establishment, we highly approve of the manner in which it is conducted in every respect.
(Signed) ROBERT THOMPSON.
JOHN GRAHAM.
F. C. CHARLES.
6. January 20, 1854.
It has afforded me very great pleasure to have had an opportunity of inspecting the arrangements of this beautiful establishment; the general features and details do very great credit to the superintendence.
(Signed) GEO. SMYTH,
Barrister-at-Law, Melbourne.
7. January 23, 1853.
The writer has this day visited this establishment, and begs to express his admiration of cleanliness and discipline so very concisely carried out.
(Signed) A. HALEN, Captain, Ship "Ferezepon."
C. H. FULTON.
8. January 25, 1854.
Having visited this day this establishment, we, Dutch Ship Masters, were very astonished by finding all in such good order and so very clean, and the regulations in so good order.
(Signed) GEORGE POOLMAN.
J. VOS VAN MARBEN.
P. FLENSZOB.
9. February 6, 1854.
Visited this establishment this day, and we beg to record our satisfaction of the completeness of the arrangements therein.
(Signed) JOHN DAVISON, New York.
WM. LITTLEJOHN, New York.
10. February 17, 1854.
Having this day visited the Hobart Town Penitentiary, I beg to record my high sense of the discipline and cleanliness observable throughout, and the civility and attention shown by the authorities.
(Signed) ALEX. TOD, Egypt.
11. February 21, 1854.
We have this day visited the Hobart Town Penitentiary, and readily record our great satisfaction of the general completeness of the arrangements and good order observable throughout, as well as the attention and civility of the authorities.
(Signed) J. P. BEAR.
T. H. BEAR.
A. E. BEAR.
12. March 1, 1854.
Having visited this establishment to-day, I have great pleasure in recording the delight which I have experienced in witnessing the neatness and great cleanliness of every apartment and every article in each, and the good order and great regularity observed throughout the whole establishment.
(Signed) ROBT. M'LEAN, A.M.
13. March 1, 1854.
Having visited this establishment, we must accord our approval of the arrangements and cleanliness we found throughout.
(Signed) JAS. JNO. EVANS, M.R.C.S.L.
RALPH RENNER.

VAN DIEMEN'S
LAND.

14. March 8, 1854.
We have visited this establishment ; we must express our astonishment at the orderly and cleanly manner in which the establishment, also the urbane and obliging manner of our guide.
(Signed) J. S. JOHNSTONE.
A. OTTAWAY.
15. March 17, 1854.
Having, in company with two ladies, this day seen over this establishment, I would, on their behalf as well as my own, express my great satisfaction at the efficient working and entire order thereof, although, as a citizen of Australasia, I must regret this theory of punishment.
(Signed) W. W. TICKLE.
16. March 17, 1854.
I found everything in a state of extreme cleanliness and orderly, &c. &c.
(Signed) W. T. F. ECOTT.
17. March 17, 1854.
Every arrangement in and about the penitentiary seems so neat and well disposed as to call forth the highest praise.
(Signed) THOMAS STANSFIELD.
18. March 24, 1854.
Myself and Captain Gates, of the American Ship "Emma Isadora," have this day visited the Penitentiary of Hobarton, and I must say that I never saw the comfort and cleanliness in any other place of the kind in any part of the world, as well as the good order and discipline among the prisoners. I feel pleased to see people of their class so well cared for, and beg to return thanks for the kind attention from the officers attached to the establishment.
(Signed) LEWIS B. HODGES.
19. April 5, 1854.
Visited this establishment to day and found everything in a most perfect state.
(Signed) JOHN BERNARD, Surgeon,
H.M.S. "Electra."
20. April 18, 1854.
We, the undersigned, having visited this establishment this day, do accord our satisfaction at the clean and orderly manner in which the whole is conducted, and feel much pleased and obliged by the civility of the officers.
(Signed) H. C. FARRELL.
THOS. MARTIN.
ARCHD. F. DOUGALL.
THOMAS HARBOTTLE.
21. April 18, 1854.
We, the undersigned, have this day visited and looked over the penitentiary, and have much pleasure in recording our opinion of the cleanliness of the place, the order and discipline maintained among the prisoners, and the attention paid to their comforts, as well as the kindness and attention shown to us by the officers of the establishment.
(Signed) ALFRED CHEYNE, J.P., Victoria.
H. ST. JOHN CLARKE, M.R.C.S., England.
E. N. HALL.
22. April 20, 1854.
Highly gratified by all we have seen in this establishment.
(Signed) F. E. BERNER, M.L.C., Victoria.
J. A. MANTON.
23. April 27, 1854.
Highly pleased with all I have seen in this establishment.
(Signed) ROBERT MORGAN.
24. April 28, 1854.
I have been highly gratified with my visit to this penitentiary ; found the greatest neatness in all the departments, and politeness from the officers.
(Signed) HUGH BOYD, Major.
25. May 1, 1854.
I have visited every part of this establishment and find it conducted with the greatest order, cleanliness, and regularity.
(Signed) F. MACDOWELL.
26. May 7, 1854.
We have this day visited the penitentiary ; nothing can exceed the cleanliness, order, and regularity we observed throughout the establishment.
(Signed) F. HARTWELL HENSLOW, J. P.
FRED. HENSLOW, R.N.

27. May 16, 1854. VAN DIEMEN'S LAND.
I have this day visited the penitentiary, and have been much pleased and gratified with the cleanliness and the whole appearance of the place.
(Signed) JOS. BARKER, of Sydney.
28. May 18, 1854.
We have this day visited the penitentiary, and have been exceedingly gratified with the admirable cleanliness and order of the establishment.
(Signed) ALEX. E. MACKAY, Surgeon, H.M.S. "Fantome."
DAN. FINUCANE, M.D., Assistant Surgeon, ditto.
29. May 20, 1854.
We have this day visited the penitentiary, and have been exceedingly gratified with the admirable cleanliness and order of the establishment.
(Signed) W. T. BROCKSMIT,
Commander of Dutch Ship "Bato."
E. T. VAN DER MYLE, Doctor of ditto.
30. May 25, 1854.
We have this day visited the penitentiary, and have been much pleased with the perfect order and cleanliness throughout the establishment and with the kindness of the officers attending:
(Signed) Capt. BRISLEY and Wife,
and Dr. SMITH.
31. June 10, 1854.
This is to certify that I have this day visited this penitentiary, and have been much pleased with the order and cleanliness of everything presented to my notice, and also with the kindness and attention of the officers and superintendent.
(Signed) ELBRIDGE WEBSTER,
Master of American Brig "Alfonso."
32. June 20, 1854.
We have had much pleasure in being shown over the penitentiary, and while we admired the cleanliness and excellent arrangements, we could not fail to remark the kindness of the superintendent in pointing out to us all the arrangements made for the comfort of its inmates.
(Signed) BROWN and PRESCOTT.
33. June 20, 1854.
I am quite astonished to see the very great regularity and cleanliness of this establishment.
(Signed) FRED. L. STIEGLITZ.
34. July 3, 1854.
My visit to this establishment has yielded me much satisfaction. I have been delighted with the cleanliness, order, and air of comfort everywhere manifest, and rejoice in the reformatory influences brought to bear upon the unfortunate inmates.
(Signed) RICHARD FLETCHER, Minister.
Congregational, Melbourne.
35. Visited this establishment with the Reverend R. Fletcher, with whose views I fully concur.
(Signed) FRED. MILLER, Minister of the Independent Chapel,
Brisbane Street, Hobart Town.
36. July 8, 1854.
Visited this establishment and found everything in excellent order and clean, reflecting in every way the greatest credit upon those under whose immediate control those arrangements are carried on.
(Signed) H. S. MOORE, Victoria.
37. July 10, 1854.
Visited this establishment; much pleased with the whole of its arrangements; most cleanly and its system must have a desirable and beneficial effect on its inmates.
(Signed) GEO. S. ROBINSON, Merchant, Victoria.
THOS. HARKER, MERCHANT, Victoria.
38. July 12, 1854.
We have this day visited this establishment and we have been highly gratified with everything we have seen.
(Signed) WILLIAM DICK, M.D. Surgeon, 12th Regiment.
F. HALL, Merchant.
W. L'ESTRANGE, Merchant, Mauritius.
39. July 24, 1854.
We have visited the establishment to-day, and were much pleased with the regularity and cleanliness apparent in every department.
(Signed) W. A. BROOKE, Sub-warder of
Christ's College, Bishopsbourne.
R. S. A. DAVIES, Hobart Town.

VAN DIEMEN'S
LAND.

40. July 26, 1854.
Visited this prison, and after considerable investigation into the working of prison discipline in England, am pleased to observe the great order, regularity, and strict attention which the management of this place displays.
(Signed) D. MACCLANAGHAN.
J. E. MURRAY.
41. August 2, 1854.
We the undersigned, citizens of the United States, have this day visited this establishment, and are highly delighted with all we have seen.
(Signed) M. W. WHITE.
THOMAS P. BONER.
FRANK MORAN.
C. BRYANT.
42. August 8, 1854.
I have this day visited this establishment and have been highly gratified with everything I have seen.
(Signed) FRED. PIKE.
43. August 9, 1854.
I have this day been shown through all parts of the prison and am highly gratified with its appearance.
(Signed) P. USHER.
44. August 10, 1854.
This establishment is admirably kept.
(Signed) L. C. PERETTEZ.
(Translated from the French.)
45. August 10, 1854.
I have visited this establishment with interest, and much admire the extreme order and cleanliness which prevails throughout.
The politeness and courtesy of the officers require especial mention.
(Signed) PAUL BELLET, Bayonne, France.
46. August 10, 1854.
Having visited this establishment I have to state that every thing appeared to be in a clean healthy state, and that all arrangements for comfort, &c. are of a very satisfactory description.
(Signed) H. H. WIGGIN, of Flinders Lane, Melbourne.
47. August 10, 1854.
I am pleased with the cleanliness and general arrangements of this establishment.
(Signed) THOMAS WILLIAMS.
48. August 10, 1854.
We certify to the above.
(Signed) GEORGE PRYTH.
GEORGE DUNN, Aberdeen.
D. MCPHERSON, Jun., Hobart Town.
F. G. SWEETMAN, Isle of Wight.
CHRIST. LEACH, Collins Street.
49. August 25, 1854.
We are much pleased and surprised at the regularity and perfection of the establishment.
(Signed) J. R. BATEMAN.
GEORGE BATEMAN.
50. August 25, 1854.
Much gratified by the order and regularity observable throughout the institution.
(Signed) EDW. BAILLIS, M.D., H.E.I.C.S.
51. August 28, 1854.
My visit to this establishment has afforded me great satisfaction at the regularity and cleanliness.
(Signed) JOHN COWPAR, Grampians, Victoria.
52. August 28, 1854.
I have been exceedingly gratified by the order, cleanliness, and regularity observable throughout this institution.
(Signed) E. KEDIN, Major, Madras Army.
53. August 31, 1854.
Visited the establishment, and found the greatest order and cleanliness, and all the arrangements appeared most excellent.
(Signed) F. A. C. O'FARRELL.
CAROLINE KANE.
54. August 31, 1854.
We have been much pleased with our visit to this establishment, and consider the arrangements throughout are most complete and effective.
(Signed) J. A. ANGUS, Lieutenant, Bengal Army.
H. HUNTER, Jun.

55. September 6, 1854.
Very much pleased with the good arrangement and cleanliness of this establishment.
(Signed) D. MACKELLOR.
56. September 8, 1854.
I am agreeably deceived at the cleanliness and good order in this establishment.
(Signed) WILLIAM HOSKIN.
57. September 11, 1854.
Visited this establishment and was agreeably surprised with the good order and cleanliness of it.
(Signed) CHARLES B. TODD,
Master of the Brig "Wild Irish Girl."
58. September 14, 1854.
Entirely satisfied.
(Signed) AND. MORNEDE, China.
59. September 22, 1854.
Visited this establishment and were much pleased with the order and cleanliness which prevailed.
(Signed) GAVIN G. BROWN.
FRANCIS BELL.
JOSEPH SWANWICK.
60. September 22, 1854.
Visited the establishment, and feel much pleased as well as surprised at the great degree of cleanliness and order maintained throughout the entire building.
(Signed) WM. C. TURREND, Launceston.
J. R. BATEMAN, J.P.
61. October 4, 1854.
Visited this establishment, and we were much gratified and pleased at the good order, cleanliness, and general management of the establishment, having visited many places of the same description in foreign ports. We are highly pleased to find the contrast in favour of this establishment.
(Signed) RICHD. S. WEEKS, Commander, Ship "Kingston."
J. R. BATEMAN, J.P., of London.
A. S. POPHAM, "Salacia."
62. October 12, 1854.
Visited the establishment this day, and were highly pleased with the cleanliness, good order, and regularity apparent throughout every department.
(Signed) WM. HARWICK, Major, Bombay Artillery.
PHIPPS TURNBULL, Merchant, Melbourne.
J. PARK.
P. CHEYNE.
63. October 16, 1854.
Visited the establishment this day, and was highly gratified at the regularity, cleanliness, precision, and good conduct observable everywhere, as well as at the good quality of the provision and means of messing. The universal innocence of all the prisoners in solitary confinement was the only circumstance that lessened this pleasure.
(Signed) E. MILLS, D.A.C.G.
64. October 23, 1854.
Visited this establishment this day, and very pleased to see the place in the clean and comfortable state that I found it.
(Signed) C. KITCHING, Surgeon.
65. October 23, 1854.
Visited this establishment this day and was very much pleased with the cleanliness and marked regularity everywhere displayed.
(Signed) ARTHUR PERRY, J.P.
66. November 6, 1854.
Visited this establishment this day and was extremely well pleased with the cleanliness and regularity everywhere displayed.
(Signed) THOMAS ATKINSON, M.D., P.M.O.
67. November 11, 1854.
Visited this establishment throughout, and must express my admiration of the cleanliness, neatness, and regularity evinced throughout the entire concern.
(Signed) P. O'DONEL, Melbourne.
68. November 14, 1854.
We have visited this establishment to day, and beg to express the gratification we have received from the regularity and cleanliness observable in every department.
(Signed) A. CATHCART.
CHESTER EARDLEY WILMOT.

42 FURTHER CORRESPONDENCE ON THE SUBJECT

VAN DIEMEN'S
LAND.

69. November 22, 1854.
Having had the opportunity of visiting the penitentiary, I beg to observe that I have found it, in common with the other Convict Departments, in a high state of order and regularity, and better kept than I had thought practicable. I have to thank Mr. May for his polite attention during my visit.

(Signed) GEORGE MURPHETT, from Adelaide.

70. December 1, 1854.
Nothing can be more complete, as regards order and cleanliness, and everything that humanity can suggest consistently with the necessary security.

(Signed) C. K. MASON.
FRED. FRITH.
R. H. ACLEZ.

71. December 8, 1854.
The neatness, order, and cleanliness of the whole establishment, and the arrangements for the security of the prisoners, are beyond praise.

(Signed) JAMES A. CORRIE.
J. C. WILSON.

72. December 21, 1854.
The neatness and order of this establishment are beyond all praise.

(Signed) CHARLES BOWYER.

(A true copy.)

J. M. MAY, Superintendent.

E.

RETURN showing the Number of all Classes of Prisoners in the Prisoners' Barracks, Hobart Town, on the 31st December 1854, also the Strength on the last Day of the preceding Year.

Civil Prisoners.	Ticket-of-Leave Holders.	Passholders.	Prisoners under Probation.	Total Strength.	Strength of Establishment on the 31st Dec. 1853.	Decrease.
105	100	258	21	484	639	155

J. M. MAY,
Superintendent.

F.

RETURN showing the Number and Nature of Offences, tried before the Visiting Magistrate at the Female Convict Establishments, Hobart Town, during the Year ending 31st December 1854.

Nature of Offences.	Number of Prisoners committing each Offence.	Magisterial Punishment.	Per-centage of Offences upon Prison Population.
Disorderly conduct -	2	14 Days Solitary Confinement, each Case.	13 18
Attempting to effect escape from prison - -	1	12 Months Extension; 9 Months on Probation.	
Purloining - - -	1	9 Months Hard Labour -	
Destroying Government property - -	3	9 Months Hard Labour; 12 Months Hard Labour; 10 Days Solitary Confinement.	
Having articles improperly in their possession -	2	2 do. 3 do.	
Making away with prisoners' rations - - -	1	2 do.	
Insolence - - -	1	6 do.	
Insubordination - -	1	18 do.	

J. M. MAY,
Superintendent.

G.

RETURN showing the Average Number of Sick in Hospital at the Cascade Factory, also the Number and Causes of Deaths during the Year ending 31st December 1854.

Average daily Strength.	Average Sick daily.	Number of Deaths during the Year.	Causes of Death.				Average daily Per-centage of Sick.	Average yearly Per-centage of Deaths.
			Debilitatis.	Apoplexy.	Paralysis.	Dysentery.		
540	8	4		1	1	1	1 $\frac{1}{4}$	$\frac{2}{32}$

J. M. MAY,
Superintendent.

H.

RETURN showing the Number of Prisoners of all Classes, and Children, received and discharged at the Female Convict Establishments, Hobart Town, during the Year 1854.

Free.		Free who have been Convicts.		Ticket-of-Leave Holders.		Passholders.		Children		Total Number of Women.		Grand Total No. of Changes.
Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Received.	Discharged.	Born and received with Mothers.	Died and discharged to Queen's Orphan School or Parents.	Received.	Discharged.	
68	61	308	312	214	183	1,432	1,603	130	253	2,022	*2,159	4,364

* The number of discharges exceed that of the receipts in consequence of the Strength of the Establishment on the 1st January not being shown herein.

J. M. MAY,
Superintendent.

I.

RETURN showing the Strength of the Female Convict Establishments, Hobart Town, on the 31st December 1854.

Civil Prisoners.	Ticket-of-Leave Holders.	Passholders.	Total Number Prisoners.	Children.	Grand Strength.
48	58	506	612	2	614

J. M. MAY,
Superintendent.

J.

Cascade Factory, Hobart Town,
January 2, 1855.

EXTRACT from VISITORS REGISTER for the Year 1854.

1. January 5, 1854.
Having been enabled to visit this establishment, I have much pleasure in testifying to the admirable arrangements which prevail in it, and to the civility and attention displayed by the persons in charge.

(Signed) G. W. RUSDEN,
Clerk of the Executive Council, Victoria.

VA DIEMEN'S
LAND.

2. January 10, 1854.
Having visited this establishment, we feel much pleasure in testifying to the good order, regularity, and cleanliness to be observed throughout; we also desire to record our thanks to the officers for their attention.

(Signed) W. W. BROWN, Melbourne.
A. CARRIELL, England.

3. January 17, 1854.
I cannot do better than adopt the preceding observations, in which I fully concur.

(Signed) THOMAS HOWARD FELLOWS, Melbourne.

4. January 20, 1854.
I have had great pleasure in inspecting this establishment; the general management and details do very great credit to the inspection.

(Signed) GEORGE SMYTH, Barrister-at-Law, Melbourne.

5. January 20, 1854.
The buildings, the arrangements, the books and regulations, if not perfect, are, I should think, as nearly so as can be arrived at.

(Signed) CHAS. H. CHAMBERS,
Solicitor, Sydney.

6. January 24, 1854.
I have this day visited this establishment, and feel highly gratified with the good order, regularity, and cleanliness throughout.

(Signed) F. HUNCE,
Ship "Ferozepore."

7. January 31, 1854.
Having this day visited and inspected the Cascade Female Factory, with a few ladies, it affords me (as a perfect stranger) very sincere pleasure and gratification to find such an establishment so well adapted as it is in every respect not only for the temporal health and comfort of the inmates, but also so admirably qualified to produce such reflection in the mind of those who from time to time are compelled be its inmates as to prove beneficial to themselves and society in after life, and I feel indebted for the attention shown to self and friends.

(Signed) THOMAS COOLEY REDDER,
of Geelong, Victoria.

8. February 6, 1854.
Have this day visited the Cascade Female Factory, which has afforded us sincere pleasure and gratification to find this establishment so well adapted in every respect for the health and comfort of its inmates, and we also feel indebted for the kind attention shown to us by the manager thereof.

(Signed) WM. LITTLEJOHN, United States.
JOHN DAVISON.

9. February 18, 1854.
Having this day visited the Cascade Factory, I beg to record my high sense of the good order, regularity, and cleanliness observable throughout the establishment, and to express my thanks for the courteous attention of the manager.

(Signed) ALEX. TOD, Egypt.

10. February 22, 1854.
We have much pleasure in recording our opinion of the good order, cleanliness, and general regularity observable in the Cascade Factory, which we have this day visited, and also owe our acknowledgements for the courtesy and attention of the resident officers connected with the factory.

(Signed) J. P. BEAR,
for self and friends.

11. March 8, 1854.
We have visited this establishment, and are much pleased with the cleanly and orderly manner in which it is conducted, also the urbane and obliging conduct of the officers.

(Signed) J. JOHNSTONE.

12. March 17, 1854.
Having this day inspected the establishment in company with two ladies, I cannot but express the pleasure of witnessing so much cleanliness and order, and also must acknowledge, for self and friends, the attention we have received.

(Signed) W. W. TICKLE,
of Melbourne, Victoria.

13. March 24, 1854.
Having this day visited this establishment, in company with Captain Gates of the American ship "Emma Isadora," we could not help expressing our astonishment at finding so much order and cleanliness among the occupants, after hearing such horrid accounts, in America, of the prisoners here. I am happy to state that they are much better cared for than we expected, and I think there is much credit due to those in charge of the establishment, and the ready kindness shown us as strangers and visitors.

(Signed) LEWIS B. HODGES,
"Pride of the Sea."

14. March 27, 1854.
Having this day visited this establishment, I feel it an agreeable duty to testify my admiration for the cleanliness and order observed in every part, and for gratitude for the very polite and obliging manner of the officer who was kind enough to guide me.

(Signed) J. W. GOET LEE.

15. April 19, 1854.
We, the undersigned, having visited this establishment, must testify our approbation as to the cleanliness of the place and kind attention of the officers.

(Signed) H. C. FURRELL.
G. OTTAWAY.
J. FURRELL.
W. POHLMARN.
A. F. DOUGALL.

16. April 19, 1854.
We, the undersigned, having visited this establishment, through the kindness of the gentleman attached thereto, must testify our gratification at the cleanliness and order throughout.

(Signed) JOHN AUSTIN.
SARAH AUSTIN.

17. May 1, 1854.
Visited this establishment, and found everything in the most perfect order. The discipline appears to be of the most quiet yet effective character, and reflects the highest credit on the officers in charge of it.

(Signed) H. MACDOWELL.

L'établissement est parfaitement bien tenu.

LERETT, 6.

18. We, the undersigned, having visited this establishment, do testify our approval of the exemplary arrangements observed, and particularly the cleanliness exhibited.

(Signed) THOMAS CHUCK.
JOSIAH MOREY.
J. B. FRANKLYN.
Mrs. QUALBROUGH.
Mrs. MOREY.
Miss TAYLOR.

12. May 17, 1854.
We have much pleasure in stating that, after going through this establishment, we are able to testify our approval in every way of the cleanliness and general arrangements.

(Signed) JAMES BARKER, of Sydney.
FRANCIS BARKER, of Sydney.

20. May 19, 1854.
We feel much pleasure in adding our testimony to the admirable cleanliness and order observed in the Cascade Female Penitentiary, which we have this day inspected, and we would acknowledge the large amount of information and kind attention we have received from the superintendent.

(Signed) ALEX. E. MACKAY, Surgeon R.N., H.M.S. "Fantome."
DAN. FINUCANE, M.D., Assistant Surgeon, ditto.

21. May 20, 1854.
Having visited this institution, find everything to give great satisfaction.

(Signed) PATRICK MURPHY.
MATHEW MURPHY.
MARTIN HEALY.

VAN DIEMEN'S
LAND.

22. June 21, 1854.
A visit to this establishment well repays for the drive out; the cleanliness is very gratifying.
(Signed) FRED. L. STIEGLITZ.
23. July 5, 1854.
Having visited this establishment, I am highly pleased with the order and regularity in which it is kept.
(Signed) THOS. GRANT.
24. July 7, 1854.
We have visited the female penitentiary this day, and are highly satisfied with every thing we have seen.
(Signed) WILLIAM DICK, M.D., Surgeon, 12th Regiment.
WM. L'ESTRANGE.
25. July 7, 1854.
We have visited the female penitentiary, and are highly pleased with its arrangements, the system being desirable for the attainment of the beneficial object in view.
(Signed) GEORGE ROBINSON.
THOMAS HARKER.
26. July 15, 1854.
I have visited with much pleasure the female penitentiary, and was much pleased, and admired the whole of the arrangement.
(Signed) ALFRED SMYLLIE.
27. July 29, 1854.
We visited the establishment this day with great interest.
(Signed) JOHN M. GOULD.
GEO. REDFEARN.
28. August 10, 1854.
I am much pleased with the cleanliness and orderly arrangements of the female penitentiary.
(Signed) THOS. H. WILLIAMS.
29. August 10, 1854.
We have been agreeably surprised at the cleanliness and general good order of this establishment.
(Signed) D. MACKELLOR.
J. W. RAYMOND.
A. B. BUCHANAN.
30. August 22, 1854.
I have again visited this establishment, and feel continued satisfaction at the admirable manner in which it is conducted and the discipline enforced.
(Signed) J. H. HAWKINGS.
31. August 28, 1854.
I have been quite delighted with the regularity, cleanliness, and order of the female penitentiary.
(Signed) JOHN COUPAR,
Grampians, Victoria.
32. August 28, 1854.
Visited the factory and inspected the wards and different apartments; nothing could exceed the cleanliness and regularity throughout; too much praise cannot be bestowed not only on those who have caused such an admirable system of discipline as is here carried on, but also on those who carry the regulations into effect. I have visited several penal establishments in the mother country, but none excel, and several do not equal, this either in cleanliness or regularity.
(Signed) B. WYNDHAM FENWICK.
D. MACLANAGHAN.
33. August 31, 1854.
Visited the female factory, inspected the wards and found the arrangements, in every department, most complete; the wards in the most perfect state of cleanliness, the inmates orderly and neat. Until I visited this institution I could hardly have imagined that any institution could be brought to such perfection in a colony. Certainly the arrangements and government of the institution reflect much credit on all the officers of the same.
(Signed) CAROLINE KANE.
F. A. C. O'FARRELL.
H. O'FARRELL.

34.

August 31, 1854.

VAN DIEMEN'S
LAND.

This day I visited the establishment and found in every part the greatest order and cleanliness.

(Signed) W. HALL.

35.

August 31, 1854.

I have this day visited the establishment throughout, and am highly delighted with the order and cleanliness observable in every part of the building. This state of things reflects the greatest credit on the superintendent and the officers acting under him.

(Signed) THOMAS REIDY,
Campbell Street.

36.

September 4, 1854.

I have now inspected the establishment throughout, and can express my unqualified admiration of all the arrangements. The cleanliness and decorum are very striking.

(Signed) J. A. ANGUS,
Lieutenant, Bengal Army.

37.

September 4, 1854.

I have this day visited the establishment, and am highly pleased with the order and cleanliness of the place.

(Signed) H. HUNTER, jun.

38.

September 22, 1854.

Visited this day the female penitentiary, and were much gratified with the cleanliness and good order that prevailed.

(Signed) JOSEPH SWANWICK.
GAVIN G. BROWN.
FRANCIS BELL.

39.

September 22, 1854.

I have this day visited this institution, and I am highly pleased with the order and cleanliness of the place.

(Signed) WM. DUNN, Melbourne.

40.

September 22, 1854.

I have this day visited the institution, and am highly pleased with the cleanliness and good order of the place.

(Signed) JAMES MOONEY, Melbourne.

41.

October 11, 1854.

We have this day visited the female penitentiary, and have been highly pleased with the cleanliness, order, and regularity, in every department.

(Signed) WM. HARDWICK, Major, Bombay Artillery.
PHILIP TURNBULL, Merchant, Melbourne.
J. PARK.

42.

November 2, 1854.

Deputy Assistant Commissary General and Mrs. Mills have visited the Cascade Factory, and have much pleasure in recording their admiration of the cleanliness, good order, and industry maintained throughout the establishment.

(Signed) E. MILLS.

43.

November 14, 1854.

I have this day visited the establishment, and beg to record the great gratification I have received from the order, regularity, and cleanliness observable in every part.

(Signed) CHESTER EARDLEY WILMOT.
A. CATHCART.

44.

November 22, 1854.

I have had great pleasure in visiting the female factory at the Cascades. I am much gratified at seeing the very great cleanliness pervading the establishment, and the good system and order adopted.

(Signed) GEO. MUPHETT, from Adelaide.

45.

November 23, 1854.

We, the undersigned, residents of Geelong, Victoria, have very great pleasure in recording our entire satisfaction at the good order and general cleanliness of the female factory near Hobarton.

(Signed) WILLIAM GRAY.
D. MAIN.
Mrs. P. F. MAIN.
M. GIBSON.

VAN DIEMEN'S
LAND.

46.

December 20, 1854.

This establishment is a most admirable adaptation of means to the ends proposed—security of persons and condign punishment.

(Signed) C. R. MASON.
FRED. FRITH.
R. H. ACLIG.

(A true Copy.) J. M. MAY, Superintendent.

SIR,

Hobart Town, January 2, 1855.

I BEG to forward to you, for the information of the Comptroller General, a report of scholastic and educational improvements which have manifested themselves during the past year; also a schedule wherein are detailed the average monthly and yearly attendances, both at the Evening and Sunday Schools, together with the state of the several classes on the 31st December 1854.

The routine of the schools has been so minutely detailed in my last report that it may be but necessary to mention the system has been continued with marked good effect.

It affords me much pleasure in being able to comment upon the good conduct of the prisoners, which, at all times, has been orderly and attentive; and may remark that the wholesome understanding between master and pupils tends materially in causing their exemplary behaviour to emanate from themselves, without the aid of coercion or even of admonition. During the past twelve months I have had no occasion to bring under your notice any man for idleness or impropriety of conduct, while for perseverance and strong desire to learn and to be instructed, it has been my pleasing duty to submit to you several names for especial indulgence.

The lectures on various topics, delivered by prisoners, still continue with satisfactory results, and are at all times listened to with much attention. The subjects nightly adverted to by myself, and simplified as much as possible, are also received with evident pleasure, and attain the more profound attention, as they not only vary the monotony of scholastic duties, but arouse the mind from the lethargic state which men so circumstanced are prone to fall into, and which does not become lessened by poring over a book.

Total abstinence is a theme nightly spoken of, and at the present time 350 prisoners have signed the total abstinence pledge and been furnished with cards to that effect. During the preceding year, many also signed this beneficial and self-imposing restriction, and I am but too happy to state, that it has since to come to my knowledge that several have religiously kept it and are deriving all the benefits accruing.

The Sunday Schools (exclusively Protestant, and held while the Roman Catholics are attending chapel,) continue to be attended by the inmates of the prison, and the very satisfactory results arising therefrom are demonstrated in the earnest manner in which the prisoners as a body seek and digest the revelations of the Holy Scriptures, and in their correct and quick replies to the numerous references made thereto.

There has been a decided improvement in the school during the past year, but owing to the many changes and general fluctuating character of the prisoners, that improvement is confined to the lesser number who remain, and which may assuredly be presented as an example of what would be accomplished were the inmates stationary. And further as a fact of some importance in connexion with this, I may remark that there is not a man attending school who cannot read a little. There are 18 now in the non-readers class, who upon their arrival were ignorant of the alphabet, all of whom can, at the present, not only read but spell a little.

In addition to attending the schools, I daily visit the cells where are the men undergoing punishment of solitary confinement, and those awaiting removal to other stations. To these I read a portion of the Scriptures and converse with them upon such topics as I consider pictures to their minds the horror and sinfulness of the particular offence for which they may respectively be incarcerated, these men I have ever found attentive and respectful.

The regulations laid down for the distribution of library books are strictly carried out, and it is with much pleasure I add that upon all occasions the books have been returned regularly and in good order.

In conclusion, permit me, Sir, to tender my grateful thanks for the kind and ready assistance I have at all times experienced at your hands, and to which is mainly attributable not only the very effective state of the present arrangements of the school, but the general improvement made therein.

I have, &c.

(Signed) J. H. SMALES,

Catechist and Schoolmaster.

J. M. May, Esq.,
Superintendent.

RETURN showing the State of the School at the Prisoners' Barracks, Hobart Town, on the 31st December 1854; also a Schedule of average Attendances during the Year.

Strength of Convict Population in the Establishment on 31st Dec. 1854.	Prisoners who can		Prisoners who have learned in the Colony to		Prisoners who have learned during the last Six Months			Prisoners learning on the 31st December 1854			Number attending School on the 31st Dec. 1854.	Remarks.
	Read only.	Read and write.	Read, write, and cipher.	Read only.	Read and write.	Read, write, and cipher.	To read.	To write.	To cipher.	Non-Readers' in Class.		
484	94	140	250	50	20	30	30	15	20	112	18	150

SCHEDULE.

January.		February.		March.		April.		May.		June.		July.		August.		September.		October.		November.		December.		Yearly average Attendances, Evening School.	Yearly average Attendances, Sunday School.
Monthly average Attendances, Evening School.	Monthly average Attendances, Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.	Evening School.	Sunday School.		
214	137	184	138	188	123	209	121	228	123	229	133	196	112	169	106	206	112	196	93	188	110	153	80	197	115

J. H. SMALES, Schoolmaster.

FURTHER CORRESPONDENCE ON THE SUBJECT

(5.) - - - DISTRIBUTION RETURN of the

STATIONS AND ESTABLISHMENTS.	Effectives.	Males.				Females.												
		On Probation. In Hospitals and Invalids.	Pass-holders and Probationary Ticket-of-Leave Holders. Awaiting Hire.	Ticket-of-Leave Holders. Under Sentence. In Hospitals and Invalids.	On Probation. In Hospitals and Invalids.	On Probation. In Hospitals and Invalids.	Pass-holders. Awaiting Hire.	Ticket-of-Leave Holders. Under Sentence. In Hospitals and Invalids.	Children. Boys.	Girls.	Comptroller General. Deputy Comptroller and Registrar.	Chief Clerk.	Clerks.	Accountant of Stores. Civil Commandants. Assistant Magistrates.	Visiting Magistrates.	Protestant Chaplains. Roman Catholic Chaplains. Protestant Catechists or Religious Instructors. Roman Catholic ditto	Medical Officers. Schoolmasters. Teacher of Psalmody. Organist. Purveyor. Superintendents.	Deputy Superintendents. Senior Assistant Superintendents. Assistant Superintendents. Storekeepers.
Comptroller General's Office.	1	-	-	-	-	-	-	-	-	1	1	1	17	1	-	-	-	-
Salt Water River	7	-	-	63	58	-	1	1	-	-	-	-	-	-	1	-	-	-
Impression Bay	17	3	-	130	136	-	2	13	-	-	-	-	-	-	1	1	2	1
Cascades	95	-	-	144	-	-	9	-	-	-	-	-	-	-	-	1	-	1
Coal Mines	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dunrobin	1	-	1	11	-	-	3	-	-	-	-	-	-	-	-	-	-	1
Prisoners' Barracks (Hobart Town).	21	-	-	217	-	-	69	-	-	-	-	-	-	-	1	1	1	2
Male Convict Estab- lishment, (Launce- ston).	2	-	2	44	-	-	35	-	-	-	-	-	-	-	1	1	1	2
Ross	-	-	1	27	-	-	4	-	-	-	-	-	5	6	-	-	1 and Superin- tendent	-
Port Arthur	252	-	-	481	-	-	42	-	-	-	-	-	2	1	1	1	1	9
Norfolk Island	90	-	-	29	-	-	-	-	-	-	-	-	-	1	1	2	1	2
Cascade Factory and Brickfields.	-	-	-	-	-	-	7	-	178	-	74	-	1	1	-	1	1	1
Launceston Factory	-	-	-	-	-	-	-	2	20	-	11	-	2	-	1	-	-	-
Hospitals and Lun- atic Asylum.	-	16	-	-	81	-	19	2	-	-	144	-	14	43	46	-	-	-
Gaols	-	5	-	17	-	-	10	-	-	5	-	2	-	-	-	-	-	-
Queen's Orphan Schools	-	-	-	-	-	-	15	-	-	-	-	-	238	184	-	1	1	1
TOTAL	490	19	4	1163	275	-	178	33	24	-	7	509	144	37	14	284	231	6
		309		1,442		211		24		660		101		515				
				2,162						785								
Pass-holders and probationary ticket- of-leave holders in private service.				2,223						417								
Ticket-of-leave holders earning their own livelihood.				4,018						2,108								
				3,408						3,310								
Total male and female		11,718																

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VAN DIEMEN'S
LAND.

No. 6.

RETURN showing the Number of Offences and Punishments of Male and Female Convicts
31st December

OFFENCES.	Male Convicts.															
	Under Probation.			Pass-holders and Probationary Ticket-of-Leave-holders under Sentence and awaiting Hire.			Ticket-of-Leave-holders under Sentence and awaiting Hire.			Free by Servitude or Pardon under Sentence to Imprisonment with Hard Labour.			Never-transported Offenders under Sentence to Imprisonment with Hard Labour.			
	How disposed of.			How disposed of.			How disposed of.			How disposed of.			How disposed of.			
	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged.	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged.	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged.	Number of Cases.	Committed for Trial.	Tried Summarily.	Acquitted or Discharged.
No. 1.—Offences against the Person.																
Assaults - - - - -	4	-	4	-	9	-	9	1	1	-	1	-	4	-	4	-
No. 3.—Offences against Property committed without Violence.																
Larceny to the value of £5. in dwelling houses - - - - -	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-
Larceny, simple - - - - -	6	-	6	-	7	-	7	2	-	-	-	-	1	-	1	-
Embezzlement - - - - -	-	-	-	-	1	-	1	1	1	1	-	-	-	-	-	-
No. 4.—Malicious Offences against Property.																
Other malicious offences - - - - -	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
No. 5.—Forgery and Offences against the Currency.																
Uttering and having in possession counterfeit coin - - - - -	-	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-
No. 6.—Other Offences not included in the above Classes.																
Perjury and subornation of perjury - - - - -	-	-	-	-	1	-	1	1	-	-	-	-	-	-	-	-
Absconding - - - - -	10	-	10	-	58	-	58	1	-	-	-	-	-	-	-	-
Insubordination - - - - -	4	-	4	-	18	-	18	-	-	-	-	-	-	-	-	-
Absence without leave - - - - -	9	-	9	-	53	-	53	-	-	-	-	-	4	-	4	-
Refusing to work - - - - -	-	-	-	-	-	-	-	-	-	-	-	-	7	-	7	-
Disobedience of orders - - - - -	22	-	22	2	73	-	73	-	1	-	1	-	33	-	33	5
Drunkenness - - - - -	3	-	3	-	59	-	59	-	5	-	5	-	-	-	-	-
Indecent or abusive language - - - - -	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1
Neglect of duty - - - - -	11	-	11	-	60	-	60	-	8	-	8	-	-	-	-	-
Insolence - - - - -	5	-	5	-	23	-	23	-	-	-	-	2	-	2	1	-
Idleness - - - - -	7	-	7	1	11	-	11	1	-	-	-	1	-	1	1	-
Minor breaches of convict discipline - - - - -	94	-	94	3	398	-	398	21	21	-	21	-	-	-	-	-
Total - - - - -	176	-	176	6	773	-	773	28	37	1	36	-	52	-	52	2

SUMMARY

MALES.							
	Average No. of men who have been at Stations and Depôts during twelve months ended 31st Dec. 1854.	Number of Cases.	How disposed of.			Total number convicted.	Per-centage of Offence.
			Committed for Trial.	Tried summarily.	Acquitted or discharged.		
Under probation - - - - -	963	176	-	176	6	170	*17
Pass-holders and probationary ticket-of-leave holders - - - - -	6,002	773	-	773	28	745	*12
Ticket-of-leave holders - - - - -	1,713	37	1	36	-	37	*02
Free by servitude or pardon, under sentence - - - - -	803	52	-	52	2	50	*06
Never-transported offenders, under sentence - - - - -	732	6	-	6	1	5	*006

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LAND.

FEMALES.

Average No. of women who have been at Establishments for Female Convicts during twelve months ended 31st Dec. 1854.	Number of Cases.	How disposed of.			Total Number convicted.	Per-centage of Offence.	
		Committed for Trial.	Tried summarily.	Acquitted or discharged.			
123	2	—	2	—	2	·01	Under probation.
2,241	45	—	45	—	45	·02	Pass-holders and probationary ticket-of-leave holders.
416	6	—	6	—	6	·01	Ticket-of-leave holders.
362	3	—	3	—	3	·008	Free by servitude or pardon, under, &c.
—	—	—	—	—	—	—	Never-transported offenders, under, &c.

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Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
GOVERNOR Sir HENRY YOUNG.

(No. 23.)

SIR,

Downing Street, February 5, 1855.

I HAVE received your predecessor's Despatch, No. 143*, of the 16th of August last, accompanied by the estimates of convict expenditure for the financial year commencing on the 1st of April 1855.

I also received from the Lords Commissioners of the Treasury a letter from the Deputy Commissary General respecting those estimates, and I enclose, for your information and guidance, copies of the correspondence which I have had with the Treasury on this subject.

Although you will perceive from this correspondence that I should look with much apprehension to any further measures than those which have already been applied for accelerating the period for granting conditional pardons to the convicts now in Van Diemen's Land you will not fail to bear in mind the importance of effecting any practicable reduction in the future estimate for convict services. It will be desirable that you should furnish a report on the expected amount of the demands in the next financial year at the earliest opportunity at which you can supply it after the receipt of the present Despatch.

(Signed) I have, &c.

G. GREY.

Sir Henry Young,

&c. &c. &c.

incl. in No. 1.

Enclosure in No. 1.

SIR,

Treasury Chambers, December 19, 1854.

I AM commanded by the Lands Commissioners of Her Majesty's Treasury to transmit to you, with reference to your letter dated 10th May last, copies of two letters from Deputy Commissary General Bishop, dated Van Diemen's Land, 15th August and 11th September last, together with the accompanying estimate of the probable expenditure to be defrayed from the Commissariat chest for the public service at that station for the year 1855-56; and I am to request that you will submit the same to the consideration of Secretary Sir George Grey.

Amended estimates will probably be received from the Governor of Van Diemen's Land, in conformity with the instructions conveyed to him in the Duke of Newcastle's letter of the 3d May last. In the meantime Sir George Grey will no doubt communicate with the Duke of Newcastle upon the subject of the estimates to be submitted to Parliament for military as well as civil services connected with the convict department in Van Diemen's Land.

As it is necessary that all these estimates should be laid before Parliament as early as practicable in the ensuing year, Deputy Commissary General Bishop's suggestion that directions should be given for amended estimates to be prepared in April next cannot be acted upon, and their Lordships trust that sufficient information will be obtained by Sir George Grey to allow of all the estimates connected with this service being completed within the usual period.

It is unnecessary for their Lordships further to impress upon Sir George Grey the importance of reducing the estimates for convict services in the colonies to the lowest possible limit consistent with the due performance of the public service.

I have, &c.

(Signed) C. E. TREVELYAN.

Herman Merivale, Esq.

&c. &c.

* Page 67 of Papers on Convict Discipline, presented to Parliament by Her Majesty's Command, February 1855.

Commissariat, Van Diemen's Land, Hobart Town,

August 15, 1854.

SIR,

I HAVE the honour of transmitting herewith for the information of the Lords Commissioners of Her Majesty's Treasury, a general estimate of the probable expenditure to be defrayed from the Commissariat chest for the public service in Van Diemen's Land for the year 1855-56, supported by the several sub-estimates, Nos. 1 to 5, amounting in all to 212,331*l.*, being a reduction upon the estimate for 1854-55 of 78,544, as shown in the accompanying comparative statements.

The sub-estimates now submitted are,—

No. 1.

Estimate for Commissariat services, 28,958*l.*, composed chiefly of the following items:—

For provisions, fuel, light, forage, transport, and water, 24,024*l.*

The amount estimated for these services for the year 1854-55 was 19,332*l.* The excess is solely attributed to the advance in the cost of the supplies.

For Commissariat pay, 3,326*l.*, being a reduction upon the estimate for 1854-55 for "fixed" pay of 1,386*l.*, though in fact it is a reduction of 3,288*l.* as the pay, allowances, and temporary increase now issued to the four officers and eight subordinates proposed to be reduced amounts to that sum per annum.

Under the head of "contingencies" the sum of 1,344*l.* is included as being the amount of the special pecuniary allowance required for the subordinates of the Commissariat on this station, calculated upon the scale authorized in the convict and colonial services. This allowance is of course contingent upon the continuance of the high prices of the necessaries of life, which are now 340 per cent. in excess of the contract prices which prevailed in the colony prior to the gold discoveries.

No. 2.

Estimate for staff and regimental services, 35,924*l.*

Of this sum 23,655*l.* is the estimated amount required for the pay and contingencies for 830 men with their officers.

In addition to this sum, the value of the "free rations" issued to the soldiers in this station, should be considered. This ration now costs the public 1*s.* 0 ⁶/₈ *d.*, entailing a further expense for the 830 men of 15,664*l.* per annum.

The other items in this estimate are for:—

Military staff (officer commanding troops and brigade major) - - £ 516
(Exclusive of "allowances," amounting to 480*l.*)

Medical staff - - - - - 770
(Exclusive of 10,095*l.* in estimate No. 5.)

The military establishment in this colony having been formed to meet the demands arising out of the convict service, it is submitted whether a material reduction in this portion of the annual estimate might not be effected; particularly as it appears from the accompanying estimate for convict service that the limited number of male convicts, 1,400, which, it is contemplated, will be on the hands of Government for the year 1855-56, (being less than one fourth of the number estimated for in 1849, when the military force was reduced to its present strength,) are to be concentrated at two posts, Hobart Town and Tasman's Peninsula.

Estimate No. 2, also includes under the head of—

Staff officer of pensioner's establishment pay, 548*l.*

To this should be added, lodging money, rations and special pecuniary allowance, 340*l.*

There are only 450 pensioners, Chelsea and Greenwich, located in the colony.

Prior to July 1850, the pensioners in Van Diemen's Land were paid by the Commissariat, without additional expense to the public.

No. 3.

Estimate for ordnance, barrack and engineer services, 11,293*l.*

This includes the sum 6,585*l.* for pay allowances (except lodging), and miscellaneous services chargeable to ordnance estimate. To this must be added 930*l.* for pay and allowances to local establishments included in the convict estimate, making the sum required for "pay and allowance" to the ordnance and engineer establishments 7,515*l.*, and this exclusive of lodging money, forage, and rations, &c. to officers and others, which may be taken at a further sum of 1,000*l.*

Presuming that all ordnance works in this colony, except incidental repairs to convict buildings, will cease, and viewing the contemplated large reduction in the number of convicts to be provided for during the years 1855-56, it is submitted whether a corresponding reduction should not be made in the ordnance and engineer expenditure chargeable on the ordnance estimates.

The sum of 250*l.* is included in this estimate for rent of "hired barracks." A reduction in the number of troops would remove this charge.

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No. 4.

Estimate for naval service—half pay and ships of war, 2,272*l*.

No. 5.

Estimate for miscellaneous services, 113,884*l*.

This estimate includes the sum of 132,553*l*. as the sum required for convict service for the year 1855–56, being a reduction of 72,832*l*. upon the estimate for 1854–55.

The comparative statement attached to the estimate affords a detailed explanation of the items leading to this reduction.

The difference in the numbers estimated for stands thus :—

		Male Convicts.	Female Convicts.	Children.	Hospital Diets.
1854–55	- -	3,000	800	507	600
1855–56	- -	1,400	400	300	300

The 1,400 male convicts are to be distributed at the establishments in Hobart Town and Tasman's Peninsula, with a small number at Launceston to 30th September 1855.

The male establishments are thus estimated for :—

Hobart Town, for salaries and money allowances	- - -	- £ 4,403
Tasman's Peninsula ditto	- - -	- 17,444
Launceston ditto	- - -	- 909

The establishments for the 400 females are estimated at :—

Cascade Factory, Hobart Town, salaries and money allowance	- -	2,930
Launceston to 30th September 1855	- -	222

The establishment at the Queen's Ophan Schools is estimated :—

For salaries and money allowances	- - -	- 3,944
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The difference in the estimated cost of the establishment calculated upon the "fixed" salaries is thus :—

	Comptroller General's Department.	For Male Convicts.	For Female Convicts.	Queen's Orphan School.	Medical Department.
1854–55	- 5,832	17,659	2,894	2,552	7,885
1855–56	- 4,276	11,237	1,725	2,276	6,488
Reduction on original salaries.	1,556	6,422	1,169	276	1,397

In 1850–51 the pay and allowances of the medical department was estimated for at 6,661*l*., with an average of 700 hospital diets, daily ; the same department is now estimated for at 6,481*l*., (or 10,868*l*. including the temporary increase and the amount borne upon the staff pay estimate No. 2.) with an average of only 300 hospital diets daily.

In adverting to the reduction shown under the head of provisions, fuel and light, &c. for convict service, amounting to 36,234*l*., it is desirable that the following important fact should be brought prominently under their Lordships' notice.

The cost of the provisions, fuel, and light now estimated for convict service amounts to :—

At the existing contract prices	- - - - -	- £ 55,430
And for forage	- - - - -	- 2,635
		£ 58,065
The same quantities calculated at the contract prices of 1851–52	£ 16,986	
And for forage ditto	- - - - -	659
		17,645
		£ 40,420

Or an advance of 329 per cent. upon the whole supply, the following articles being a portion thereof bearing these proportions :—

Flour, an increase of 333 $\frac{1}{4}$ per cent.	
Bread	233 $\frac{1}{4}$ "
Meat	450 "
Vegetables	625 "
Forage	400 "

These serious advances are attributable solely to the gold discoveries and consequent scarcity of labour.

A special consideration should also be given to the "Items" of "temporary increase" on salaries of the convict establishment charged in the accompanying estimates, amounting to 19,709*l*. This can only be viewed as a contingency arising out of events which no human foresight could have provided against. It is an unavoidable expenditure, also, resulting from the "gold discoveries."

However satisfactory the reductions detailed in the accompanying statement may appear to their Lordships, the remaining fact of so large a sum as 196,428*l*. exclusive of the cost of stores, clothing, and stationery furnished from England, being still estimated for, for the maintenance of the convict system in Van Diemen's Land, (for the continuance in the colony of the military staff and department cannot be regarded in any other light,) will doubtless be viewed by the Home authorities with much anxiety, and induce them, when considering the small number of convicts which it is contemplated will be left here in 1855-56, to direct that corresponding reduction should be made in the military establishments.

The concentration of the convicts establishments which has already taken place, and that contemplated by the accompanying estimate, will bring the duty within that narrow focus as to admit of the system being efficiently worked with a comparatively small number of military.

I have, &c.
(Signed) WILLIAM BISHOP, D. C. G.

Sub-Enclosure 2 to Enclosure in No. 1.

Commissariat, Van Diemen's Land, Hobart Town,
September 11, 1854.

SIR,

I HAVE had the honour of receiving this day your Letter, No. 315 ¹⁰³⁰⁵/₉₅₉₅, of the 22d June last, forwarding to me, by command of the Lords Commissioners of Her Majesty's Treasury, a copy of the printed estimate for convict services in the colonies, and also a Despatch from the Duke of Newcastle to the Governor of Van Diemen's Land, and desiring me to consider and report to their Lordships what reduction it may be possible to effect in the very heavy expenditure now charged against the Home Government for convict services in this colony.

The estimates for convict service for the year 1855-56 were forwarded from hence on the 18th ultimo, with my letter, No. 865, of the 15th August, in which I did myself the honour of adverting to the several items of service included therein, and of suggesting for their Lordships' consideration, that more extensive reductions should be called for, those submitted with the estimate not being generally in accordance with the extensive diminution in the number of convicts. For example, the number estimated for in—

		Total Convicts in the Colony.	In Government Charge.			
			Males.	Females.	Children.	Hospital Diets.
1854-55 were	..	18,000	3,000	800	587	600
1855-56 are	-	8,000	1,400	400	300	300

The convict establishments for 1855-56 having been framed upon the presumption that the existing system of convict discipline would be continued, they have been estimated for accordingly ; thus, for the control of 1,400 male convicts, six establishments are to be retained at the following costs, namely,—

				£	
Salaries and money allowances to the Officers of the Male establishments				-	19,425
Ditto	ditto	Female factory	-	-	3,152
		(400 women)			
Ditto	ditto	Medical establishment		-	10,095
		(for convict service.)			
Ditto	ditto	Religious instruction		-	6,688
Ditto	ditto	Visiting magistrate		-	880
Ditto	ditto	Queen's orphan school		-	3,944
Ditto	ditto	Convict marine		-	1,770
Ditto	ditto	Comptroller-General's office		-	6,943
Salary of Lieutenant-Governor	-	-	-	-	2,000
Total salaries and money allowances				-	54,897
Police and gaols, postage and transport	-	-	-	-	20,115

VAN DIEMEN'S
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Contingent upon the above we have an ordnance establishment, consisting at present of three engineer officers, an ordnance storekeeper, a deputy storekeeper, barrack master, with a large staff of clerks, &c. for whom the pay and money allowances amounts to 10,491*l*.

Pay and money allowances, Commissariat establishment	-	-	-	-	£4,670
Ditto Military staff	-	-	-	-	516

The estimate further provides for 880 troops for this colony, at a cost of 40,655*l*. for pay and "free" rations.

The Lieutenant-Governor has suggested that a large reduction in the military force should be promptly made, judging by former demands upon the military in this colony three companies would be amply sufficient; and if there could be detached from the regiments at Melbourne the 99th regiment, a fine body of men, 880 strong, would be at the disposal of the government.

The ordnance and medical department have also been recommended by the Lieutenant-Governor for an extensive and evidently necessary reduction.

The estimate shows as large a reduction in the Commissariat establishment as it would be prudent to recommend at present.

A suggestion was made some months back, and submitted to the Secretary of State, relative to the colonial government taking over the remaining convicts, finding their own establishment, and receiving an annual payment from the Home Government for each convict chargeable to imperial funds.

Should this suggestion have been entertained by the Secretary of State, it will doubtless have the effect of relieving the Home Government of a large portion of this heavy expenditure.

Amongst other schemes in this colony for getting rid of the convicts as rapidly as possible is a petition now under the consideration of the legislative council, praying Her Majesty to grant at once absolute pardons to all convicts in Van Diemen's Land who may be deserving of a recommendation for a "conditional" pardon. The various schemes thus in agitation lead me to bring the foregoing "précis" of the sums required for the salaries and money allowances for the convict service prominently before their Lordships; but it may be seen at a glance, the vast pecuniary advantage to be derived from the adoption of any scheme which might remove the convicts from the present expensive control.

If this colony does not take charge of the convicts, would it not be practicable for Western Australia to absorb a portion of them? Such an arrangement would lead to large reduction here, with a comparatively small addition to the staff at Swan River.

Under these great uncertainties, and the probability of still further reduction being made in the number of convicts to be left in the hands of Government for 1855-56, would it not be most prudent to give a conditional approval to the estimate for that year,—say to the 30th September 1855,—and call for a revised estimate to be prepared in April next, by which time there appears reasonable ground to hope that further important reduction might be recommended.

I further beg permission to suggest, that the annual requisition for stores, clothing, stationery, &c., monthly sent to England, should be carefully reviewed, and their shipment for this colony made contingent upon such decision as may be arrived at by the Home authorities for the final disposal of the convicts now here.

There is a very large accumulation of surplus stores at this station, to which I have requested the attention of the Commissariat officer in charge at Swan River.

I have, &c.

(Signed) WILLIAM BISHOP, D. C. G

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

SIR,

Downing Street, January 18, 1855.

I AM directed by Secretary Sir George Grey to acknowledge your letter of the 19th ultimo, accompanied by a letter from the Deputy Commissary in Van Diemen's Land, on the subject of the convict estimates for the approaching financial year. I am also desired to take this opportunity of forwarding for the consideration of the Lords Commissioners of the Treasury a Despatch from the Governor containing the estimates approved by him for that period.

I am directed to state, that the several suggestions which the Deputy Commissary General enumerates in his letter of the 27th of September as being of such a nature that they might materially affect the estimates have not been found to admit of adoption, and consequently that they would not afford a reason for taking an estimate for one portion of this year and awaiting a revised estimate for the remainder.

The estimates transmitted by the Governor compared with those of last year exhibit the following results:

Estimates for 1854	-	-	-	-	-	£205,385
Do. 1855	-	-	-	-	-	132,553
Decrease	-	-	-	-	-	£ 72,832

No. 143,
Aug. 16, 1854.

The Comptroller General also estimates that the number of convicts in Van Diemen's Land which on the 1st August 1854 amounted to 13,456, will, by the commencement of the financial year on the 1st April 1856, be diminished to less than 4,000.

Seeing, therefore, that a reduction of more than 70,000*l.* is effected in the amount of the anticipated expenditure for the financial year now about to commence, and that the great expected diminution in the number of convicts will admit of much larger reductions afterwards, Sir George Grey is disposed to recommend that the Governor's present estimate be adopted.

Sir George Grey has communicated to the Duke of Newcastle the reductions which the Governor reports in the eighth and ninth paragraphs of his Despatch to be practicable in the military force and establishments in Van Diemen's Land.

VAN DIEMEN'S
LAND.

Sir Charles Trevelyan,
&c. &c. &c.

I have, &c.
(Signed) H. MERIVALE.

Enclosure 3 in No. 1.

SIR,

Treasury Chambers, January 30, 1855.

Encl. in No. 1.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you for the information of Secretary Sir George Grey, with reference to your letter of 18th instant, that my Lords regret that it has not been found practicable to make greater reductions in the estimate for convict services in Van Diemen's Land for the ensuing year.

The reduction in progress in the number of convicts to be provided for in that colony would appear to justify a vote for a less amount, but as Sir George Grey is of opinion that the proposed expenditure is necessary for the year ending 31st March 1856, they will not object to the estimate which has been transmitted.

They would at the same time point out that the estimate submitted to Parliament in 1854 included 12,038*l.* for stores and supplies forwarded from this country, and it will probably be necessary to insert in the present estimate about 8,000*l.* for this service, which will raise the amount to 140,553*l.*

The vote of last year having been 201,728*l.*, the actual diminution will be 61,175*l.* only.

Sir George Grey is fully aware of the expediency of making every practicable reduction in the expense of the convict department in Van Diemen's Land, and it is only necessary for their Lordships on the present occasion to express their earnest hope that every opportunity will be taken of diminishing the charge upon imperial funds for this branch of the service.

Herman Merivale, Esq.
&c. &c.

I am, &c.
(Signed) C. E. TREVELYAN.

Enclosure 4 in No. 1.

SIR,

Downing Street, February , 1855.

Encl. in No. 1.

I AM directed by Secretary Sir George Grey to acknowledge the receipt of your letter of the 30th ultimo, on the subject of the estimates for convict services in Van Diemen's Land. I am directed to acquaint you, in answer, that, whilst Sir George Grey fully concurs in the desire to reduce the expenditure on account of convict services in Van Diemen's Land to as great an extent as is compatible with the object for which alone that expenditure is incurred, the instructions given to Sir W. Denison, in the Despatch from the Duke of Newcastle, dated the 3d of May 1854, for accelerating the time for granting tickets-of-leave and conditional pardons to convicts in the colony with a view to the more rapid diminution of the expenditure incurred on their account, appear to Sir George Grey to have gone to the utmost extent which could be properly sanctioned, and that he would apprehend very serious inconvenience from adopting any further measures in the same direction.

Sir C. E. Trevelyan,
&c. &c.

I have, &c.
(Signed) H. MERIVALE.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart. to
Governor Sir HENRY YOUNG.

(No. 24.)

SIR,

Downing Street, March 17, 1855.

I HAVE had before me your predecessor's Despatch, No. 101*, of the 15th of June 1854, reporting that a further increase of 25 per cent upon the original

* Page 62 of Papers on Convict Discipline, presented to Parliament by Her Majesty's Command. February 1855.

VAN DIEMEN
LAND.

salaries of all the officers of the convict establishment had been granted, in addition to the augmentations which had already been made in these salaries, on account of the high prices prevalent in the colony.

The constant tendency to increase in the demands for the convict establishment cannot but attract the serious notice of Her Majesty's Government. They will not now require the cessation of the increase of 25 per cent. in the course of the financial year which is just about to commence, but I have to instruct you that this augmentation cannot be continued to the superior officers of the establishment after the 31st of March 1856, and that it must equally be struck off from the pay of the inferior officers, unless you are satisfied that the current prices and wages in the colony are such that the services of these officers cannot be retained upon the scale of salary (already raised from its original amount) which was allotted to them before this last increase of 25 per cent.

Governor Sir H. Young,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart. to
Governor Sir HENRY YOUNG.

(No 41.)

SIR,

Downing Street, April 9, 1855.

I HAVE to acknowledge the receipt of your predecessor's Despatch, No. 73*, of the 15th of December last, transmitting, in pursuance of the instructions addressed to him to that effect, a copy of the report of the board appointed to inquire into the circumstances connected with the capture by convicts of the Government barque "Lady Franklin," while on their passage in that vessel to Norfolk Island, and reporting the probable date at which he expected to be able to relieve the British Treasury from the charge of the "Lady Franklin."

Governor Sir H. Young,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

No. 4.

No. 4.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart. to
Governor Sir HENRY YOUNG.

SIR,

Downing Street, April 15, 1855.

I ENCLOSE for your information and guidance the copy of a Despatch which I have addressed to Sir W. Denison at Sydney, containing instructions on the steps to be taken for the transfer of the inhabitants of Pitcairn's Island, and for the removal of the remaining convicts and their guard to Van Dieman's Land. I have to call your especial attention to the necessity for using every precaution to prevent intercourse between the Pitcairn Islanders and the convicts, and to the instructions which you should communicate to the officer commanding the convict guard at Norfolk Island.

As Norfolk Island is still under your government, and the question of its future local administration is left open, I wish you, for the present and until further instructions, to conform yourself to any communications which you may receive from Sir W. Denison touching this matter.

Governor Sir H. Young.
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

"Separate," April
15, 1855.
Page 65.

* Page 17.

No. 5.

VAN DIEMEN'S
LAND.
No. 5.COPY of a DESPATCH from the Right Hon. Lord JOHN RUSSELL to
Governor Sir H. YOUNG.

(No. 34.)

SIR,

Downing Street June 12, 1855.

IN reference to your predecessor's Despatch, 14th November,* I have to observe:—

* Page 1.

1. That the prerogative of pardon vested in the Crown, and especially recognized by the 6 Vict. c. 7., cannot legally be transferred to the Governors of colonies.

2. That the simultaneous grant of free pardons to a very large number of convicts whose offences may have been of the most serious nature would give rise to much alarm and anxiety in this country, and would in itself be inconsistent with the caution which should characterize the administration of criminal justice.

3. There are, no doubt, cases in which men, by reformed habits and an industrious course of life, have entitled themselves to the merciful consideration of the Crown. Any representations which you may make in such individual cases, specifying the circumstances which in your eyes would justify a full and free pardon, will, I am sure, be carefully considered by the Secretary of State for the Home Department.

4. I cannot advise the transference of the management of these convicts to colonial authorities. Parliament could not be asked to vote large sums for the appropriation of which the authorities at home were not responsible. The grants will, as you have been informed, be diminished in proportion to the diminished number of convicts.

5. The subject of granting conditional pardons to convicts who may hereafter be sent to Western Australia is a separate matter, and shall receive the most careful consideration.

6. With respect to New South Wales and Van Diemen's Land, the lapse of time will cure the evils of which those colonies complain. I shall be glad to think that before any long time shall pass those evils will become trifling and almost imperceptible.

I have, &c.

(Signed) J. RUSSELL.

Governor Sir H. Young,

&c. &c. &c.

NEW SOUTH WALES.

NEW SOUTH
WALES.

Despatches from Governor General Sir C. A. FitzRoy.

No. 1.

No. 1.

COPY of a DESPATCH from Governor General Sir C. A. FITZROY to the
Right Hon. Sir GEORGE GREY, Bart.(No. 185.) Government House, Sydney, December 30, 1854.
(Received April 7, 1855.)

SIR, (Answered, No. 46, July 13, 1855, Page 66.)

WITH reference to the Despatch of His Grace the Duke of Newcastle of 13th March 1853, No. 52, in which an inquiry is made respecting the reserved earnings and other monies remitted through the Commissariat department for the prisoners in convict ships, which were to be paid into the colonial treasury, and from thence distributed to the prisoners, I have the honour to transmit for your information an extract of a letter from the acting auditor general relating to the sum of 572*l.* 5*s.* 10*d.*, so received by the colonial treasurer for the convicts who arrived in the ship "Bangalore," together with a return prepared by the principal superintendent of convicts, showing the distribution of the sums issued to him from the treasury for the purpose. By these documents it will be seen that payments have been made to the prisoners to the amount of 406*l.* 7*s.* 6*d.*; that a sum of 64*l.* 16*s.* 11½*d.*, which has been forwarded to the benches of magistrates in the interior, has yet to be accounted for by the production of the receipts of the men entitled to the money; whilst there remains in the hands of the principal superintendent of convicts a sum of 88*l.* 8*s.* 8*d.* unclaimed, and in the treasury 12*l.* 12*s.* 9*d.* The circumstance of so large an amount remaining in the hands of that officer and with the magistrates is ascribed by him to the unwillingness of the men to trouble themselves to obtain such small sums while they receive the high wages at present given, and from the fact of many of them being at large probably at the gold fields.

17th March 1854.

This voluminous
return is not
printed.

2. I have further the honour to transmit a return showing the appropriation of a sum of 248*l.* 18*s.* 3*d.* received by the principal superintendent of convicts for the prisoners by the "Adelaide" direct from the Commissariat, and which was not therefore paid into the colonial treasury. It will be seen that of this amount a sum of 219*l.* 16*s.* 11*d.* has been paid to the prisoners; that for 23*l.* 1*s.* 11*d.* forwarded to the country for distribution the receipts of the men have not yet been produced; and that a sum of 5*l.* 19*s.* 5*d.* remains unclaimed.

I have, &c.

The Right Hon. Sir George Grey, Bart. (Signed) C. A. FITZROY.
&c. &c. &c.

Encl. in No. 1.

Enclosure in No. 1.

EXTRACT of a Letter from the Acting Auditor General to the Colonial Secretary, dated 17th March 1854, respecting the reserved Earnings of Convicts by the "Bangalore."

IN reply to your letter of the 11th instant, No. 434, and 19th January last, No. 85, I have the honour to inform you, that under the authority of your letter to the Colonial Treasurer, dated 5th July 1850 (50/5,844), the sum of 572*l.* 5*s.* 10*d.*, the reserved earnings of convicts who arrived in the ship "Bangalore," and were landed at Moreton Bay, was paid by the Deputy Commissary General into the Colonial Treasury on the 11th July 1850, and credited in the public account of general revenue.

572*l.* 5*s.* 10*d.*

2. Of this amount there were reissued to the principal superintendent of convicts for distribution to the prisoners,—

In 1850	-	-	-	-	-	£427	12	6
In 1851	-	-	-	-	-	132	0	7

559 13 1

Leaving a balance in the Treasury of	-	-	-	£	12	12	9
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Despatches from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to Governor General Sir W. DENISON.
"Separate."

SIR,

Downing Street, April 15, 1855.

I HAVE had under my consideration your Despatches, Nos. 83* and 85,* Page 19.
of the 23d and 26th December last, from Van Diemen's Land, reporting the transfer to that colony of the majority of the convicts from Norfolk Island, and offering some suggestions on the management of the island after the expected Settlers from Pitcairn's Island shall arrive.

I approve of the steps which you took for removing from Norfolk Island all convicts, except a small party, which you have kept until the expected arrival of the Pitcairn's settlers.

Upon the question of hereafter annexing the island to the government of New South Wales instead of that of Van Diemen's Land, as well as upon the necessity of appointing any special officers for the maintenance of peace and good order, I shall address you at a future opportunity. In the meanwhile the first step to be taken is to provide for the transfer of the Pitcairn's Islanders, and I think this can best be done from Sydney and under your directions. It was at first intended, as you were informed by the Duke of Newcastle's Despatch of 9th December 1853, to send a ship from England, to call off Pitcairn's Island about the end of 1854, for the conveyance of the Settlers; but when it appeared that there was some demur as to the removal of the convicts from Norfolk Island, this measure was countermanded, and the inhabitants of Pitcairn's Island were duly apprized of the change, as it was not thought fit to incur the least risk that these people should be mixed up with a convict settlement. That obstacle no longer exists. But after the lapse of so long a time, and especially as there is some doubt whether the whole of the Pitcairn's settlers would be willing to emigrate, I do not consider it prudent now to send a ship direct from England for their removal. I have to instruct you, therefore, to request the senior naval officer to take the first convenient opportunity of causing a vessel of war to visit Pitcairn's Island, and to ascertain how many of the inhabitants would be ready and willing to proceed to Norfolk Island if a ship were provided for the purpose. Should the answer be favourable, I should wish you to engage and equip at Sydney a suitable vessel for the removal of the Pitcairn's Islanders, with a stipulation that, after they are landed, she shall convey the remaining party of convicts at Norfolk Island and their guard to Van Diemen's Land. Special instructions should be given to the master of such vessel to delay the landing of the Pitcairn Islanders at Norfolk Island until he shall have made such arrangements with the officer commanding the guard at that place as will secure that no intercourse whatever shall be permitted between the islanders and the convicts, and that the latter shall be embarked immediately after the whole of the islanders and their goods shall have been landed on the island, and the master should be required to obtain a certificate from the officer commanding the guard that those arrangements had been carried into successful execution.

The Governor of Van Diemen's Land will take the necessary steps to convey corresponding instructions to the officer commanding at Norfolk Island. A separate account should be kept of the expense of moving the Pitcairn's Islanders, which will have to be hereafter duly provided for. You will of course obtain from Van Diemen's Land any information which you may feel to be necessary in order to frame correctly the particulars of this last-mentioned stipulation. The course thus laid down for your guidance will involve some delay, but it is preferable to incurring the risk of sending a vessel to Pitcairn's Island with the chance of not even finding the people willing to take advantage of the opportunity offered to them for their removal.

NEW SOUTH
WALES.

A copy of the present Despatch will be transmitted to the Governor of Van Diemen's Land for his information, and he has been instructed (pending the question as to the future local administration of the island) to conform himself to any communications which he may receive from yourself touching this matter.

Governor Sir W. Denison,
&c. &c. &c.

I have, &c.
(Signed) G. GREY.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. Lord JOHN RUSSELL to
Governor General Sir W. DENISON.

(No. 38.)

SIR,

Downing Street, June 12, 1855.

IN reference to your predecessor's Despatch (of the 29th* October 1854), I have to observe,—

1. That the prerogative of pardon vested in the Crown, and specially recognized by the 6 Vict. c. 7., cannot legally be transferred to the Governors of colonies.

2. That the simultaneous grant of free pardons to a very large number of convicts whose offences may have been of the most serious nature would give rise to much alarm and anxiety in this country, and would in itself be inconsistent with the caution which should characterize the administration of criminal justice.

3. There are, no doubt, cases in which men, by reformed habits and an industrious course of life, have entitled themselves to the merciful consideration of the Crown. Any representations which you may make in such individual cases, specifying the circumstances which in your eyes would justify a full and free pardon, will, I am sure, be carefully considered by the Secretary of State for the Home Department.

4. The subject of granting conditional pardons to convicts who may hereafter be sent to Western Australia is a separate matter, and shall receive the most careful consideration.

5. With respect to New South Wales and Van Diemen's Land, the lapse of time will cure the evils of which those colonies complain. I shall be glad to think that before any long time shall pass those evils will become trifling and almost imperceptible.

Governor General Sir W. Denison,
&c. &c. &c.

I have, &c.
(Signed) J. RUSSELL.

No. 3.

No. 3.

COPY of a DESPATCH from the Right Hon. Lord JOHN RUSSELL to
Governor General Sir W. DENISON.

(No. 46.)

SIR,

Downing Street, July 13, 1855.

*Page 64.

July 5, 1855.

WITH reference to your predecessor's Despatch, No. 185,* of the 30th December 1854, I now transmit, for your information and guidance, the accompanying copy of a letter from Assistant Secretary to the Lords Commissioners of the Treasury, enclosing a report from the Commissioners of Audit; and, in pursuance of the wish expressed by their Lordships, I have to instruct you to cause repayment to be made into the commissariat chest of the sums stated, being the unclaimed earnings of the convicts sent out in the ships "Bangalore" and "Adelaide."

Governor General Sir W. Denison.
&c. &c. &c.

I have, &c.
(Signed) J. RUSSELL.

* Page 93 of Papers on "Convict Discipline," presented to Parliament by Her Majesty's Command, February 1855.

Enclosure in No. 3.

NEW SOUTH
WALES.

Encl. in No. 3.

SIR,

Treasury Chambers, July 5, 1855.

I HAVE laid before the Lords Commissioners of Her Majesty's Treasury your letter of the 9th of May, enclosing the copy of a Despatch from the Governor of New South Wales relative to the reserved earnings of convicts.

I am directed by their Lordships to transmit to you the copy of a report from the Commissioners of Audit, and to request that you will move Lord John Russell to communicate the same to the Governor of New South Wales, with instructions to him to direct the repayment into the commissariat chest of the sums stated, being the unclaimed earnings of the convicts sent out in the ships "Bangalore" and "Adelaide."

I have, &c.

H. Merivale, Esq.

&c. &c.

(Signed) E. C. TREVELYAN.

MY LORDS,

Audit Office, June 22, 1855.

IN obedience to your Lordships' order of reference, dated 15th ultimo, we have had under consideration a letter from the Colonial Office, dated 9th May, transmitting copy of a Despatch from the Governor of New South Wales, with an extract from a letter from the Auditor General, and returns from the principal superintendent of convicts, showing the appropriation of convict earnings remitted from this country to New South Wales in the years 1849 and 1850 to be paid to the prisoners on their arrival in that colony.

We beg leave to state that these returns appear to be satisfactory; but we would submit whether the balance of 88*l.* 8*s.* 8*d.*, remaining in the hands of the principal superintendent, on account of the prisoners embarked in the ship "Bangalore," and which it would seem from the Governor's Despatch is not likely to be claimed by the parties, should not be repaid into the commissariat chest, as well as the sum of 12*l.* 12*s.* 9*d.*, which is stated to be remaining in the colonial treasury.

The same course, we think, should also be followed with respect to the sums of 23*l.* 1*s.* 11*d.* and 5*l.* 19*s.* 5*d.*, remaining unclaimed by the convicts sent to the colony in the ship "Adelaide."

We beg leave to return the referred letter and Despatch, but we have taken the liberty of retaining the two returns, as they may be required in the event of a future reference.

We have, &c.

(Signed)

EDWARD ROMILLY.

CHARLES ROSS.

W. L. MABERLEY.

The Lords of the Treasury.

VICTORIA.

VICTORIA.

No. 1.

No. 1.

COPY of a DESPATCH from Governor Sir CHARLES HOTHAM to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 150.)

Toorac, near Melbourne, November 18, 1854.

(Received February 12, 1855.)

SIR,

(Answered, No. 19, June 4, 1854 page 82.)

AT a very early period after Her Majesty had been pleased to select me for this government, I had the honour of holding two conversations with his Grace the Duke of Newcastle on the enactment passed by the Victorian Legislature, by which "conditionally pardoned" men were prohibited from entering into this colony.

And on the second occasion I presented to his Grace a scheme which I trusted would meet the views of the colonists, and be at the same time free from the objections which his Grace entertained to the course of legislation which had heretofore been pursued.

The principal features of this measure were, that conditionally pardoned men, on their arrival in the ports of Victoria, should be detained on board until the vessel had been visited by the police; that a description of their persons should be published in the "Gazette;" that certain localities should be specified, out of which it would be illegal for them to reside; and that once every month they should appear before a magistrate.

With the principles of this plan his Grace was pleased to express his concurrence. He informed me that Her Majesty's Government, on all general points, were desirous to meet the wishes of the Victorian Legislature, but had been compelled to disallow the "Convicts Prevention Act," on the ground of its interference with the Royal prerogative.

Armed with the views of Her Majesty's Government, I landed in this colony, entertaining, I frankly confess, a hope that I should not find it difficult to adjust this embarrassing question. But it required a very short acquaintance to discover that I had entirely miscalculated the strength of feeling which existed in the minds of all classes, or the firmness of their resolution not to abate one jot of their pretensions on this important subject.

My position was not that of the leader of a minority; I stood as it were separate from the community whom I had been sent to govern. I had no political friends or supporters. I seemed a general without an army. However reasonable men might be on other topics, they could entertain no argument in anything relating to the convicts; and, whilst professing the greatest devotion to Her Most Gracious Majesty, and attachment to the mother country, they did not scruple to let it be known that the maintenance of those ties depended upon their continuing free from coercion in what might relate to the convict class.

Hence the force of circumstances compelled me to relinquish my first plan of conciliation, and seek for a second, which would, I hoped, be viewed favourably by Her Majesty's Government, and prove acceptable to the colonists; but, unfortunately, a few days prior to the introduction of the Bill named in the margin, the particulars of your Despatch, No. 2,* of the 24th June 1854, in which you suggested that I should release any men who might be undergoing imprisonment on account of the violation of the "Convicts Prevention Act," were published in a Van Diemen's Land newspaper, and the colonial press denouncing the injustice of the Imperial Government in their attempt to force criminals upon the colony which they would not receive in England, worked the indignation of the public to the highest pitch. Other feelings then actuated the colonists; they declared that not only had they to fight against England, but that they must oppose the attempt of the Lieutenant-Governor of Van Diemen's Land to involve them in anarchy. Meetings were held at Melbourne and Geelong. 10,000 respectable inhabitants attended the Melbourne meeting; the orators were barristers and gentlemen. Members of the Legislative Council were prevented from speaking, in order that the feeling of the public might be made more manifest, and the utmost order and decorum prevailed. Even the admission of the principle that men who had been convicts might be received with passports was denounced, and the Bill which I had introduced in the meantime into the Legislative Council was condemned, notwithstanding that it had been favourably looked upon by a Select Committee of the House.

An Act to prevent
the Influx of
unreformed Criminals
into Victoria.
Enclosure No. 1.

Petition to the
Legislative Council,
and resolutions
of public meeting.
Enclosure No. 2.

Enclosure No. 1.

* Page 96 of Papers relative to Convict Discipline, presented to Parliament by Her Majesty's Command, February 1855.

Such an expression of opinion decided the Legislative Council to reject the measure, and no time was lost by the independent members in proposing a Bill, which overthrew the principle of admitting reclaimed felons, if provided with passports, and rendered illegal the entrance of any person who had "at any time been found guilty of any capital or transportable felony."

In the various provisions attending this Act, I refer you to the enclosure: suffice to say that it extends over a period of twelve months, and is, in the opinion of the Law Officers of the Crown, a measure to which I was at liberty to assent in the name of Her Majesty, and, therefore, not an infringement of the Royal prerogative. Enclosure No. 3.

Thus the strong grounds for objection which Her Majesty's Government entertained towards the "Convicts Prevention Act" are not discoverable here, and I was free to decide upon the course which, under all circumstances, it was most prudent to follow.

I do not venture to contend that the Act to which I have given my assent is framed on the ordinary rules of English Courts, or the precedents to be found in our statute books. I admit that it is full of harshness, injustice, and severity; but I hold that the position and state of Victoria are entirely anomalous; that for her condition precedents cannot be found, and ought not to be sought for; and that an application of ordinary rules will only lead to embarrassment and danger.

In deciding upon the line of conduct and policy pursued, Her Majesty's Government will, I trust, not lose sight of the attraction which an annual export of 14,000,000*l.* of gold offers to the man of crime, as well as to the man of enterprise.

The man of crime is essentially hardened and indolent; separated only by a few hours' sail from Victoria; to her gold-fields he assuredly repairs, not to work but to murder and rob. Were Victoria left unprotected by legislative enactment, she must become the receptacle for the whole of the felons of the neighbouring colony; and 13,000 men of this class having before them the incitement to robbery and plunder, would change their abodes and congregate in Victoria.

Hitherto I have believed that Her Majesty's Government desire the dispersion of these criminals; but unless Victoria is allowed to protect herself, I fear this land will become the plague-spot of the globe, and scenes will occur of which Englishmen will be ashamed.

In order to show that the above statement is not the mere creation of my own brain, I would call your attention to my Despatch, No. 184,* of the present date, relating to the burning of the Eureka Hotel by the populace at Ballarat in consequence of the supposed connexion of the landlord with the murder of James Scobie. The three prisoners now awaiting their trial are convicts.

On the 16th of October last, the clerks of the Victoria Bank at Ballarat were gagged and tied, and money to the amount of 14,000*l.*, besides a considerable quantity of gold dust, abstracted in the middle of day; again, the men known to have committed this daring act belong to the convict class. Both of these outrages have occurred within the last month.

I have good ground for believing that, had I refused to affix my signature to the "Influx of Criminals Prevention Bill," the people would have taken the law into their own hands, and justified it on the grounds that the Government had left them no other alternative. Enclosure No. 6.
Report from Acting
Chief Commissioner
of Police.

To conduct the Government of this colony is a task of no ordinary magnitude; on its numerous gold-fields are 100,000 of the finest men in the world, herded together for one engrossing object, and needing that grand element of order, viz., female society: they belong to every nation and race; they possess youth, energy, resolution, and fire-arms, and can only be managed through firmness of purpose, marching hand in hand with public opinion. The hatred of the convict element is as strong on the gold-fields as it is in Melbourne; and if by means of an able but inflammatory press, town and country combine in one purpose, results might ensue tending to place in jeopardy the connexion of Victoria with the mother country.

There are other reasons of a cogent nature which also lead reflecting persons to join in the common object. Owing to causes in operation before I assumed the charge of the colony, the estimates framed by my Government show an expenditure over the estimated revenue, for the year 1855, of nearly

*This Despatch will be found in the Papers relative to "Gold Discoveries, Australia," presented to Parliament by Her Majesty's command, July 1855.

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2,000,000*l.* sterling. To meet this extraordinary deficiency recourse must be had to taxation, and people not unnaturally turn to the items of expenditure which press heaviest upon them.

Enclosure No. 4.

In the year 1854, the charge for police, penal establishments, and gaols, amounts to 1,000,000*l.*, and I am informed that the Acting Chief Commissioner of Police, in his estimates for 1855, fixed the amount required for police alone, to enable him to meet the increase of criminals, at 900,000*l.*, to protect a population of probably 320,000 souls. That this representation is very moderate may be seen from a perusal of the "Argus" newspaper of November 16, 1854, to which I would earnestly draw your attention and I feel warranted in adding, that if a wholesale importation of the convict element is allowed to take root here, the expense of the police, penal establishment, &c., will be at least doubled. Should the Legislation adopted in Victoria be contrary to precedent, equally opposed to precedent is the demand that a colony where the rate of living is fabulous, and profits no longer large, should be charged with the maintenance of a police to control 13,000 of the worst class of English criminals, or that those who selected these shores in search of pastoral gain, and who from their vocation must live in lonely places, should be exposed to the tender mercies of the professed felon.

Surely such a state of things as now exists, and such a future as is in prospect, requires the grave consideration of the statesman and legislator.

This colony, from its surprising mineral wealth, and the immigration which is pouring in at the rate of 1,000 per week, ranks as third in the British empire; it is one of the brightest gems in the Imperial diadem; its onward strides surprise the man of longest experience; it possesses wealth, strength, and competency to hold its position unaided by the mother country; it does not lack the pretension to walk alone. Are we prepared to run the risk of this latter contingency, by insisting on a point which, however just and proper in the abstract, is practically unjust here?

Human probability indicates that a second Victoria can hardly be discovered. The theories of the most renowned political economists are here daily overturned. When such is the case with dogmas universally accepted, would it be wise to insist that no departure should take place in other matters?

The address of the Legislative Council, forwarded by my predecessor in his Despatch, No. 179,* under date November 18, 1853, accurately depicts the position of the colony. The tone of the debates in the Legislative Council, in the present session on this exciting subject, has been temperate, firm, and respectful. There is but one voice on the matter throughout the length and breadth of the land from the judges of the Supreme Court to the breaker of stones on the road; all unite in the hope that the British Government will duly weigh their position, and allow them to adopt such measures of defence as their circumstances, safety, and position imperatively require.

It is not to be supposed that the 13,000 felons will remain in Van Diemen's Land, unless Victoria opens her gates to them. Such a mode of putting the question would be far from accurate. A gradual dispersion to all parts of the world will take place, and the effect of their exclusion from Victoria will only render it slower and more gradual.

I have, &c.

(Signed) CHAS. HOTHAM.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Encl. 1 in No. 1

Enclosure 1 in No. 1.

["A BILL to prevent the Influx of unreformed Criminals into Victoria" will be found printed at page 6 of this Paper.]

Encl. 2 in No. 1.

Enclosure 2 in No. 1.

To the Honourable the Legislative Council of Victoria in Council assembled,
The Petition of the Colonists of Victoria in Public Meeting assembled humbly sheweth,

THAT your petitioners have learned with feelings of deep indignation that a Despatch has been addressed to his Excellency the Lieutenant-Governor by the Right Honourable the Secretary of State for the Colonies, which proposes to deprive the colonists

* Page 120 of Papers on "Convict Discipline," presented to Parliament by Her Majesty's Command, May 1854.

of the protection of the "Convicts Prevention Act," and, under pretext of encroachment upon the Royal prerogative, suggests the letting loose in the colony a horde of daring ruffians now undergoing punishment according to law.

That your petitioners emphatically protest that the Sovereign of the British realm neither hath nor ought to have any right, prerogative, or power warranting the letting loose in the colony of Victoria of the convicted criminals of other countries or colonies.

That your petitioners feel that the carrying out of Sir George Grey's suggestions will render the Royal prerogative odious to the colonists, and will seriously endanger the connexion existing between this colony and the parent State.

That your petitioners consider the "Convicts Influx Bill," now before your Honourable House, a totally inefficient substitute for the "Convicts Prevention Act," its machinery being too cumbrous to render it easily workable, and the passport system it proposes to introduce being altogether unsuited to a British community, and repugnant to the principles of the British constitution.

Your petitioners therefore pray, that in order to the protection of the colonists from further inundation from foreign crime, and in vindication of your own right of freedom of legislation, your Honourable House will reject the "Convicts Influx Bill," and re-enact the "Convict Prevention Act," with such additional clauses as will prevent the introduction to Victoria of the convicted criminals of other countries or colonies on any pretext whatever.

And your petitioners, as in duty bound, will ever pray.

Signed in the name and on behalf of the meeting.

(Signed) JOHN HODGSON, Mayor,
Chairman.

Sub-Enclosure 1 in Enclosure No. 2.

SIR,

Town Hall, Melbourne, October 24, 1854.

I HAVE the honour, by request of a public general meeting of the colonists convened on Thursday last, for the purpose of taking into consideration the recently received Despatch from the Right Honourable the Secretary of State for the Colonies on the subject of the "Convicts Prevention Act," to forward a copy of the resolutions arrived at by the meeting for the information of his Excellency the Lieutenant Governor.

I am also to inform his Excellency that it is the decided and unanimous conviction of by much the largest and most influential meeting ever held in this colony, that the certain effect of his Excellency's acting upon the suggestion of the Secretary of State for the Colonies, and letting loose upon the community the prisoners now undergoing punishment under the provisions of the "Convicts Prevention Act," would be to render the Royal prerogative odious to the colonists, and seriously endanger the connexion between this colony and the parent State.

I am further requested to urge upon his Excellency to refuse compliance with Sir George Grey's suggestion, and to decline the responsibility of inflicting such an outrage upon the colony, as acting upon such a suggestion would necessarily involve.

I have, &c.

(Signed) JOHN HODGSON,
Mayor.

Sub-Enclosure 2 in Enclosure No. 2.

RESOLUTIONS passed at a Public Meeting held in the front of the Supreme Court House La Trobe Street, Melbourne, on Monday 23d October 1854.

The Right Worshipful the Mayor of Melbourne in the chair.

It was moved by William Westgarth, Esq., and seconded by Archibald Michie, Esq.,—

1. That this meeting emphatically protests, that the Sovereign of the British realms neither hath nor ought to have any right, prerogative, or power warranting the letting loose in the colony of Victoria of the convicted criminals of other countries or colonies. Carried unanimously.

It was moved by William Kerr, Esq., and seconded by Henry Langlands, Esq.,—

2. That, as the certain effect of acting upon the suggestion of the Secretary of State for the Colonies in his recent Despatch would render the Royal prerogative odious to the colonists, and would seriously endanger the connexion between this country and the parent State, this meeting requests the Right Worshipful Chairman to forward to the Lieutenant Governor a copy of these resolutions, and to urge upon his Excellency to refuse a compliance with Sir George Grey's suggestions, and to decline the responsibility of inflicting such an outrage upon the colony. Carried unanimously.

It was moved by R. D. Ireland, Esq., seconded by Alderman Clowes, and supported by David Blair, Esq.,—

3. That the following Petition to the Legislative Council, praying that Honourable House to reject the "Influx of Criminals Bill," and to re-pass, the "Convicts Prevention

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Act," with such additional clauses as may be necessary to prevent the admission of convicted criminals from other colonies, under any pretext, be now adopted, signed by the chairman on behalf of the meeting, and that the Right Worshipful the Mayor be requested to present the petition in his place in the House. Carried unanimously.

It was moved by L. M'Kinnon, Esq., seconded by Mr. Marsden, and supported by Dr. Owens,—

4. That, in the opinion of this meeting, the conduct of Sir William Denison in reference to the convict question deserves the strongest reprobation, inasmuch as he has not hesitated to seek a personal triumph at the expense of the legislative independence, the peace, and the future prosperity of Victoria. Carried unanimously.

It was moved by T. S. Cope, Esq., seconded by Robert Kent, Esq., and supported by M. C. Newton, Esq.,—

5. That the following gentlemen be appointed a standing committee to watch the progress of events, and to co-operate with the committees which may be formed in other districts of the colony to arrest the threatened pollution, viz.,

The Mayor.	Alderman Clowes.
H. Langlands, Esq.	J. B. Bennett, Esq.
W. M. Bell, Esq.	W. Kerr, Esq.
W. M'Culloch, Esq. M.L.C.	James M'Ewen, Esq.
W. Westgarth, Esq.	Robert Kent, Esq.
R. Turnbull, Esq.	David Young, Esq.
Lanchlan M'Kinnon, Esq.	R. D. Ireland, Esq.
James Heuty, Esq. M.L.C.	A. Michie, Esq.
John Porter, Esq.	T. S. Cope, Esq.
Charles Vaughan, Esq., J.P.	A. F. Greeves, Esq., M.L.C.
D. S. Campbell, Esq.	J. O'Shannasse, Esq., M.L.C.
Dalmahoy Campbell, Esq.	W. Hull, Esq.
Archibald Bonar, Esq.	J. P. Fawcner, Esq., M.L.C.
J. M. Smith, Esq., C.C.	Dr. Nicholson, M.L.C.
Patrick M'Arthur, Esq., J.P.	G. S. W. Horne, Esq., M.L.C.
John Dixon, Esq.	Dr. Eades.
F. Sinnett, Esq.	Henry Cooke, C.C.
J. M. Grant, Esq.	J. A. Marsden, Esq.
M. King, Esq.	Walter Taylor, Esq.
Otto Newhauss, Esq.	T. L. Bright Esq.,

With power to add to their number. Carried unanimously.

(Signed) JOHN HODGSON, Mayor.
Chairman of the Committee.

Encl. 3. in No. 1.

Enclosure 3 in No 1.

AN ACT to prevent the Influx of Criminals into Victoria.

BE it enacted, by his Excellency the Lieutenant-Governor of Victoria, by and with the advice and consent of the Legislative Council thereof, as follows :—

Suspected Persons
may be arrested.

I. It shall be lawful for any justice of the peace or any constable, at any time after the passing of this Act, having reasonable cause to suspect that any person has at any time been found guilty of any capital or transportable felony by a court of competent jurisdiction in the United Kingdom of Great Britain and Ireland, or any British possession other than Victoria, and has at any time after the passing of this Act come into Victoria, forthwith and without any warrant for such purpose to cause such suspected person to be apprehended and taken before any two justices of the peace, to be dealt with as herein-after mentioned, such person not having been lawfully resident in Victoria at the time of or previous to the passing of this Act. Provided, that it shall be lawful for any justice of the peace to take bail for the appearance of such suspected person before such justices, in such sum and with or without such sureties as such justice may deem expedient. Provided also, that nothing in this Act contained shall apply or be deemed to apply to any person whose sentence or sentences, if more than one, shall have expired for a greater period than three years previous to his arrival in Victoria.

Punishment on
suspected persons
being convicted.

II. It shall be lawful for any two justices of the peace before whom any such suspected person shall have been brought, on proof that such person has come into Victoria contrary to the provisions of this Act, to convict him thereof, and, at their discretion, either to take bail that such person shall leave the colony within seven days after his conviction, or to cause such person to be conveyed in custody to the country or possession from whence he came, or to sentence such person, if a male, to be kept to hard labour, with or without irons, on the roads, or other public works of the colony, for any period not exceeding three years, or, if a female, to be imprisoned, with or without hard labour, in any gaol for any period not exceeding one year.

Forfeiture of
property.

III. All property found upon or in the possession of any such suspected person as aforesaid shall, upon his apprehension, be seized and detained, and in the event of his

being convicted and sentenced as aforesaid, shall, at the discretion of the convicting justices, be forfeited and sold.

IV. Any person sentenced as aforesaid to hard labour or imprisonment, who shall remain in Victoria for three months after the termination of such sentence, shall be liable to be again similarly apprehended and sentenced, and so on, from time to time, as often as he shall so remain.

V. Any person who shall harbour or conceal any other person whom he shall know or believe to have come into or remained in Victoria contrary to the provisions of this Act, shall be subject to a fine not exceeding one hundred pounds, or be imprisoned in any gaol or house of correction in Victoria for any period not exceeding twelve months.

VI. Any master mariner, or other person commanding, navigating, or sailing any vessel for the trip or voyage, when such vessel shall bring to any port or place in Victoria any person having been found guilty as aforesaid, shall, upon conviction thereof before any two justices of the peace, for every such offence be liable to a fine not exceeding one hundred pounds, or to imprisonment for any time not exceeding six months, or to both, at the discretion of the said justices.

VII. It shall be lawful for any justice of the peace having information on oath that any person who has arrived in Victoria contrary to the provisions of this Act is harboured in any house or other place within the jurisdiction of such justice to grant a general search-warrant to any constable for such person, and it shall be lawful for any such constable, in virtue of such general search-warrant, to break, enter, and search, by day or by night, any dwelling-house, tenement, or other place wherein such person may be suspected to be concealed, and to apprehend any person whom such constable shall have reasonable cause for suspecting to have arrived or remained in Victoria contrary to the provisions hereof, and also to apprehend all persons found in or about such dwelling-house, tenement, or other place, whom such constable shall have reasonable grounds for suspecting and believing to have knowingly harboured and concealed such suspected person, and all persons found and apprehended as aforesaid shall be forthwith taken before any justices of the peace, to be dealt with as herein provided.

VIII. It shall be lawful for any justice of the peace or constable to enter on board any vessel, and, having reasonable cause to suspect that any person having been found guilty as aforesaid is on board such vessel, to search any and every part thereof, and apprehend any person found therein contrary to the provisions of this Act.

IX. It shall be lawful for any two or more justices assembled at petty sessions to hear and determine in a summary way all cases arising under this Act, and, at their discretion, to fix and determine all the fines, penalties, punishments, and forfeitures hereby imposed, and no complaint, conviction, order for confiscation, punishment, or forfeiture, or other proceeding before or by any justices under this Act, shall be quashed or set aside, or deemed void or insufficient for want of form only, or be removed or removeable by *certiorari*, or any other writ or process whatsoever into the Supreme Court.

X. Every summons, information, conviction, and warrant of commitment under the provisions of this Act shall be deemed valid in which the offence charged or alleged in the same respectively shall be set forth in the words of this Act.

XI. Oral proof that any person was in any country known to have been, or commonly deemed or reputed to have been, found guilty of any felony in the United Kingdom, or any British possession other than Victoria, or to have been serving any sentence of transportation or imprisonment for such offence, or the production of any paper purporting to be a "Government Gazette," published in any of the Australian Colonies, and containing the name of any person charged with offending against any of the provisions of this Act, described in such paper as a convicted prisoner of the Crown, or transported felon, shall, for the purposes of this Act, be taken as good *prima facie* evidence that such person was found guilty of felony as aforesaid, and proof that any person so found guilty was apprehended in Victoria, at any time after the passing of this Act, not having a fixed and known place of residence, shall be deemed good *prima facie* evidence that such person arrived in Victoria after the passing hereof, unless the contrary be proved.

XII. Whenever any pecuniary penalty shall have been imposed under the provisions of this Act, and the person convicted shall not forthwith pay the same into the hands of the convicting justices, it shall be lawful for such justices to direct that such person be imprisoned with or without hard labour, as they shall think fit, for a period not exceeding two calendar months, if the penalty be not above twenty pounds, and for a period not exceeding four calendar months if the penalty be above twenty pounds, and not above fifty pounds, and for a period not exceeding twelve calendar months if the penalty be above fifty pounds, and such person shall be detained and kept to hard labour unless such respective penalties shall be sooner paid.

XIII. All pecuniary fines and penalties, and the proceeds of all forfeitures received under this Act, shall be paid into the Police Reward Fund, except such portion thereof, not exceeding one half, as the convicting justices may award to the informer, and such informer shall be in all cases a competent witness.

XIV. If any suit or action shall be brought against any justice of the peace, constable, or other person, for any act or thing done in furtherance of the provisions of this Act, the defendant in every such action may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon, and if the verdict shall be for

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Additional punishment for convicted persons remaining after expiration of sentence.

Penalty for harbouring.

Master liable if persons improperly brought to Victoria.

Power to grant search warrants.

Power of search.

Summary jurisdiction.

Words of Act sufficient statement of offence.

Oral proof.

Recovery of penalties.

Application.

Indemnifying justices.

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the defendant, or if the plaintiff in any such action or suit shall be nonsuited or discontinue his action or suit, or if upon demurrer judgment shall be given against the plaintiff, the defendant shall have treble costs, and shall have the like remedy for the same as any other defendant hath in any other case to recover costs by law; and although a verdict shall be given for the plaintiff in any such action, he shall not be entitled to recover any costs against the defendant, unless the judge before whom such action shall be tried shall certify at the trial and in open court, under his hand and on the back of the record, his approbation of the action, and of the verdict thereupon.

Appeal.

XV. Any person who shall feel himself aggrieved by the judgment of the justices adjudicating under this Act may appeal from their order or adjudication to the next Court of General Sessions of the peace which shall be held nearest to the place where such order or adjudication shall have been given or made; and the execution of every such order or adjudication so appealed from, and the forfeiture and sale of any property as aforesaid, may at the discretion of such justices be suspended in case such person shall, with one or more sufficient surety or sureties before such justices, enter into a recognizance to Her Majesty, her heirs and successors, in such sum as to such justices shall seem fit; which recognizance such justices are hereby authorized to take conditioned, to prosecute such appeal with effect, and to be forthcoming to abide the determination of such Court of General Sessions, and pay such costs as the said Court shall award; and such Court is hereby authorized finally to hear and determine the matter of such appeal.

Duration of Act.

XVI. This Act shall continue in force for one year from the passing thereof, and thence to the end of the then next session of the Legislative Council of Victoria.

Encl. 4 in No. 1.

Enclosure 4 in No. 1.

A STATEMENT showing the gross estimated Amount of the Expenditure incurred under the following heads, from the 1st January to the 30th September 1854, viz:—

	£	s.	d.
Police	611,386	2	5
Gaols	8,126	0	0
Penal	79,492	19	4
Administration of justice	17,000	0	0
	716,005	1	9
Add for proportion of three months to the end of the year	238,668	7	3
	£ 954,673	9	0

Colonial Secretary's Office, Melbourne.
November 21, 1854.

JOHN FOSTER,
Colonial Secretary.

Encl. 5 in No. 1.

Enclosure 5 in No. 1.

SIR,

Judge's Chambers, November 20, 1854.

* 20 Nov. 1854,
Requesting opinion
on amount of crime
committed by
persons previously
convicted, and
necessity for pas-
sing some pre-
ventive measure.

I HAVE the honour to acknowledge the receipt of a *minute of your Excellency, and in reply to state that it is my undoubted opinion that a law such as that in force for the last two years, or such as that recently passed by the Legislative Council, is imperatively demanded, and I do not hesitate for an instant to give it as my unqualified opinion, that were I responsible for the tranquillity of the country, I would not answer for it unless some such law were passed.

I have resided in this country for fifteen years, for ten years of which I have had considerable experience as counsel in criminal cases; for three years I have presided as Judge of the Supreme Court, for the last two years acting as Chief Justice, and I have paid anxious attention to the proportion of previously convicted criminals who have been arraigned in the courts of justice.

I believe that a large number of those tried consists of those who have been previously convicted, and that of late years the majority of the latter has migrated from Van Diemen's Land. The actual number is only to be ascertained by the admissions voluntarily, or incautiously, made by the prisoners themselves, but the number so discovered is such as to satisfy me that the influence they may produce on our population, flushed as it is with profuse wealth, and abundant means of gratifying the basest lusts and passions, is demoralizing to an extent which cannot be detected on the surface.

A familiarity with scenes of profligacy dulls in time the sensibility of those who, shocked at first with the coarseness and brutality of vice, abhor crime; and it is, in my opinion, much to be feared that the examples of extreme punishment will not effectually neutralize, much less eradicate the effect produced on the ductile minds of the youth of this country by the intimate communion with the dissolute and abandoned men who have come,

those who would, unless prevented, still come in great numbers from Van Diemen's Land. I made a visit to that island two years since, having, as an object principally in view, a desire to gain an insight into convict discipline. I know that the mitigation of the strictness of the penal code of late years in England does not render obnoxious to transportation men of the same class as those transported within a correspondingly previous period, and it is rarely the case that there are now found in Van Diemen's Land undergoing penal servitude any but the most hardened and desperate offenders.

The establishment at Norfolk Island, at which are found the worst of the worst, (some men more than once sentenced to death, and some several times sentenced to transportation for life, as I was informed,) was then being gradually diminished, and the prisoners were being draughted to Van Diemen's Land; and although I remarked a rigour of discipline (of its kind indeed different from that which formerly obtained), yet a rigour which grieved me much, I saw that it was called for, and I am persuaded that it is only by such restraint that such men can be kept in subjection, and that it is rare to find in them such complete amendment of life as not to feel assured that fresh opportunity would superinduce the commission of new, perhaps greater crime. I know that the class vulgarly or technically called "expirers" is the worst, and in some cases I fear irreclaimable, and when at large most dangerous; they have passed through (with every opportunity of abridging the period of their punishment, and of being regenerated,) every phase and grade of correction. From the introduction of them to this country, I apprehend the most calamitous results of all that fierce passion long pent up can perpetrate. I am prepared to hear, and were I to pause to enumerate, I could name many of them as the most heinous offenders; I should rather say, that I know but few of those who committed the highest crimes who were not of that class.

I see no reason to alter materially the opinion which I publicly expressed in opening the Circuit Court at Castlemaine in December 1852, although circumstances have contributed to modify the extent of my present assertions.

The extraordinary flood of population of a heterogeneous character which has within the last three years been directed to our shores, has, as might be expected, brought with it persons not previously convicted who have swelled the criminal calendar; and the mode (imperfect although it has confessedly been) in which the law has been enforced for the last two years, and the terror imparted to the convict population by the enactment, have contributed to diminish the volume of the influx which in 1851 and 1852 was so overpowering, nevertheless, although our gaols, hulks, and stockades are gorged with criminals, and our revenues are weighed down by the enormous pressure of the expenditure demanded for preventive, detective, and coercive police, exceeding anything known in any civilized country on earth, I am confidently assured that there are at large in this community at the present moment many previously convicted men ready on the slightest reverse of fortune or of unusual temptation to relapse from the state of insincere quietude in which they are now found.

I have the honour to subjoin some returns in support of my views. The first I obtained from the Deputy Sheriff of Castlemaine; I am informed that it is imperfect, in not disclosing truly the number of convicts, while I am confident it is not wrong. In erroneously or improperly imputing to any of them the charge of previous conviction, it will be seen how the number charged with major offences in the Supreme Court predominates over the proportion of those of the same class tried for minor offences in the Inferior Court.

The return furnished by the sheriff is accompanied by an explanatory comment; and I will observe, that as punishment is usually dealt out more largely to old offenders than to others, disclosures of self-crimination are now made more cautiously and with more reserve than heretofore; and there are no legal means of confuting any one of these persons who may pertinaciously insist on falsifying their former condition.

In submitting this statement of facts, of which I have judicial cognizance, and of opinions which I have formed in the course of my judicial duties, I do not trespass on your Excellency by expressing any opinion as to the particular provisions of the existing Act, or its predecessor. I abstain carefully from any allusion to it in a political aspect, yet I am of opinion that some such Act is necessary.

However either may be open to special objection on the ground of an alleged infringement of the Royal prerogative, I wish to speak with delicacy; still I hope I may be allowed to speak with freedom. I do not suppose any one in this community so disloyal (I myself am not) as to desire to abridge in the abstract one of the highest and certainly most beneficial of the prerogatives with which Her Majesty is invested; but I believe the principle is legal and perfectly constitutional. It is the privilege of Her Majesty to extend gracious pardon under any degrees of limitation agreeable to Her will. That will may be expressed in a variety of equally valid modes; and there is no greater legal difficulty, in my mind, in Her Majesty being advised by her counsellors to assent to an Act of the Legislature of this country by which criminals of a certain class may be excluded from its boundaries than existed when Her Majesty's predecessor was advised to assent to provision by which convicts were to be excluded "ab initio" from the territory of South Australia, or by Orders in Council to direct that they be no longer sent to Van Diemen's Land.

The enactment submissively presented to Her Majesty for her approval is, if approved of, in effect adding but another term to the conditional pardons in constant use, naming a

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new province of her possessions to which it is not her pleasure that certain of her delinquent subjects shall go. Those who are not in such a condition cannot complain, as the enactment cannot possibly affect them; and those who are ought not to be allowed to complain of the partial exercise of that spontaneous bounty which it might please Her Majesty to withhold altogether.

I have, &c.
(Signed) REDMOND BARRY,
Acting Chief Justice.

Sub-Enclosure to Enclosure 5 in No. 1.

SIR,

Sheriff's Office, Melbourne, November 21, 1854.

I HAVE the honour to enclose you herewith the return you asked for yesterday of all prisoners tried for criminal offences during the year 1853, and up to this time in 1854, at Melbourne, distinguishing those who had previously been in bondage from those who came free to the colonies. The proportion of these classes, as shown in the return, is not at all to be relied on for accuracy, as it is in most instances compiled from the statements of the prisoners themselves, in the absence of any knowledge or information to the contrary. The Governor of the goal informs me that, in his opinion, if the figures for this year were reversed they would be somewhat nearer the truth.

2. I may remind your Honour that, although the total number tried this year appears to be much less than last, that must not be taken as any indication of a diminution of crime, but is to be accounted for by the greater number tried at the circuit courts of the Supreme Court, and the various courts of general sessions throughout the country.

I have, &c.
His Honour the Acting Chief Justice, (Signed) CLAUD FARIE, Sheriff.
Melbourne.

RETURN of PRISONERS tried at Melbourne in 1853 and 1854.

Year.		Number tried.	Number tried.	Total.
		Free.	Bond.	
In 1853	-	297	224	521
In 1854	-	246	77	323

(Signed) CLAUD FARIE, Sheriff. (Signed) G. WINTLE, Gaoler.
His Honour the Acting Chief Justice,
Melbourne.

RETURN of the NUMBER of PRISONERS who have been tried in the Supreme Court at Castlemaine, in the Northern District of the Colony of Victoria, from January to October 1854.

Prepared by desire of his Honour Chief Justice Barry.

	Murder.		Horse Stealing.		Assault and Robbery.		Felony.		Larceny.		Shooting or Wounding, with Intent.		Common Assault.		Rape.		Rescuing a Prisoner.		Obtaining Money or Goods under false Pretences.		Man-slaughter.		Perjury.		Forging a Licence or personating a licensed Miner.		Robbery in Company or with Arms.		Sodomy.		Total.	
	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.	Bond.	Free.
Tried	1	1	5	25	1	14	16	57	11	34	4	12	-	2	-	1	-	1	-	2	4	1	-	2	5	1	5	1	1	-	46	162
Convicted	1	-	4	19	1	7	11	33	8	21	4	9	-	2	-	-	-	-	1	-	4	4	-	1	-	4	-	3	1	-	34	100
Not guilty	-	1	1	5	-	6	4	23	3	10	-	3	-	-	-	1	-	1	-	1	-	1	-	-	-	-	1	1	-	9	53	
Discharged for want of Prosecution	-	-	-	1	-	1	1	1	-	3	-	-	-	-	-	-	-	-	-	-	-	-	1	2	1	-	1	-	-	3	9	
																													92	424		

(Signed)

F. CALL,
Deputy Sheriff.

VICTORIA.

Enclosure 6 in No. 1.

Encl. 6 in No. 1.

SIR,

Police Department, Chief Commissioner's Office,
Melbourne, November 23, 1854.John Quinn,
Thos. Marriott.

HIS Excellency the Lieutenant Governor having expressed a wish to be informed to what class the parties belong who committed the robbery on the Bank of Victoria at Ballarat, I have the honour to report that we have succeeded in apprehending two of the parties, as per margin, and have recovered about 2,000*l.* of the property, and I am in possession of such information as will, I trust, lead to the apprehension and conviction of the others. They have all of them been sent out to the colonies as convicts, and as his Excellency may wish for my opinion with regard to this class, I can most unhesitatingly say that nine tenths of the most serious crime in the colony is committed by them.

I have, &c.

(Signed) WM. MAHON,
Acting Chief Commissioner.

Captain Kay, Private Secretary.

No. 2.

No. 2.

COPY of a DESPATCH from Governor Sir CHARLES HOTHAM to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 155.)

Toorac, near Melbourne, November 24, 1854.

(Received February 12, 1855.)

SIR,

(Answered, No. 19, June 4, 1855, page 82.)

I HAVE the honour to transmit copies of correspondence which have passed between the Lieutenant-Governor of Van Dieman's Land and myself.

I have, &c.

(Signed) CHARLES HOTHAM.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Enclosures 1, 2, and 3 in No. 2.

Encls. 1, 2, 3, in
No. 2.

Comprising,—

Letter from Sir W. Denison to Sir C. Hotham, October 25, 1854.

" Sir C. Hotham to Sir W. Denison, November 1, 1854.

" Sir W. Denison to Sir C. Hotham, November 13, 1854.

Will be found already printed at pages 5, 11, and 12, as Enclosures to Sir W. Denison's Despatch, No. 50, November 17, 1854.

Encl. 4 in No. 2.

Enclosure 4 in No. 2.

Government Offices, Melbourne,
November 20, 1854.

SIR,

* Page 12.

I HAVE the honour to acknowledge the receipt of your letter, dated November 13,* 1854, in which you state your objections to a Bill introduced by an independent member of this Legislature for the "Prevention of the Influx of Criminals into Victoria."

If I could discover the slightest advantage to the public service by entering into an official correspondence on the extremely delicate question which has so long agitated this colony, and if I could imagine the probability that, by any explanation which could mutually be rendered by the respective Governors of Victoria and Van Dieman's Land, a conclusion could be drawn, and arrangements entered into which might have the effect of modifying the fixed resolution of the people of Victoria, I would eagerly seek the opportunity to confer with you; but I appeal to your own judgment and experience for an answer, whether such an event is within the pale of probability, and, if it is not, surely there is every reason for awaiting instructions from Her Majesty's Government, and not increasing the embarrassment by discussions on a matter of high policy, on which neither of us can practically operate, however we may adjudicate.

There are but two points which I shall do myself the honour to bring under your notice, and they have exclusively reference to dates. The Bill introduced by this Government for the avowed purpose of admitting any person into the colony without reference to his former condition, provided he could produce certificates of character, was condemned by a general expression of public opinion, and it was abandoned prior to the receipt of your letter, dated October 25, 1854, because it only met with the support of the Government members; and the second Bill,—introduced by Mr. William Nicholson, a leading influential member,—had passed, and obtained my assent prior to the receipt of your letter, dated November 13.

Finally, I beg to assure you, that in all matters connected with the trade, commerce, and fiscal regulation of our respective Colonies, I shall always be happy to entertain any suggestions from you, and benefit by your local and colonial experience; and it is only because I can foresee that harm, rather than good, would come, were I to discuss with you a measure of Imperial policy, that I have felt it prudent and necessary to adopt the present course.

I have, &c.
(Signed) CHAS. HOTHAM.

VICTORIA.
—

VICTORIA.

Despatch from the Secretary of State.

No. 1.

No. 1.

COPY of a DESPATCH from the Right Hon. Lord JOHN RUSSELL to
GOVERNOR SIR CHARLES HOTHAM.

(No. 19.)

SIR,

Downing Street, June 4, 1855.

I HAVE to acknowledge your Despatch, No.* 150 of the 18th November last, enclosing an Act passed by the Legislature of Victoria "To prevent the Influx of Criminals into Victoria," and explaining the circumstances under which it was passed, and the reasons which induced you to give Her Majesty's assent to it.

* Page 70

2. It is impossible for Her Majesty's Government not to be fully conscious of the great difficulties of your position in a colony placed under such extraordinary circumstances; nor would they express the slightest doubt of your desire to act in this matter as you deemed most conducive to the public interests, or of the earnestness of your efforts to effect some arrangement which should be at once satisfactory to the colony, and consistent with the instructions which you had received from the Government.

3. They are also fully sensible of the strong feeling which this question appears to have excited in the community of Victoria. Placed in the vicinity of so numerous and so restless a population as that which the system of transportation has created in neighbouring colonies, and in possession of those gold fields which offer such powerful attractions to the dangerous classes of society, it is by no means matter of surprise that this community should have sought by every means in their power to check an influx so justly dreaded. Security of life and property are objects so paramount, as to be justly purchased by severe and even exceptional measures.

4. But while making this admission, Her Majesty's Government are persuaded that they have a duty to perform to Her Majesty's subjects generally in maintaining the right of those who have received the Crown's pardon for their offences wherever committed, to avail themselves of that pardon, subject to the conditions which the Crown has been pleased to attach to it, and any others which may be proved to be necessary to the community whose protection they freely acknowledge, is a still more important object. In order to explain fully the view which they take of the subject, it is necessary that I should recapitulate the correspondence which has taken place between this department and the local government since the first agitation of the question.

5. Mr. La Trobe, in forwarding to the Secretary of State a copy of the Act "to facilitate the Apprehension and prevent the Introduction into the Colony of "Victoria of Offenders illegally at large," (to which he gave Her Majesty's assent on the 23d September 1852, and which expired on the 1st November 1854), describes it in his accompanying Despatch (as indeed its title imported) as intended to prevent the influx of offenders illegally at large. "Persons" (he adds) "to whom Her Majesty has been graciously pleased to grant a remission "of sentence, have been protected, and the royal prerogative of mercy has "been saved."

6. Although the Act was thus described by Mr. La Trobe, yet it appeared to the Duke of Newcastle that its provisions were so worded as to embrace not only escaped convicts, but persons who, having received conditional pardons, were as legally at large as any class of Her Majesty's subjects, so long as the condition of their pardon was not violated. On this ground it appeared to his Grace that it would be incumbent on him to advise the disallowance of the Act whenever it should reach him in an authentic shape. But in informing Mr. La Trobe of this intention, (by his Despatch of April 30, 1853,) his Grace took care to point out that, although such appeared to be the language of the Act, yet he supposed, from Mr. La Trobe's account of it, that such could not have been its intention.

7. This supposition was strengthened when his Grace received shortly afterwards Mr. La Trobe's Despatch of March 2nd, 1853, transmitting an address respecting the Act. For among the inclosures to that Despatch was a letter from the Superintendent of Water Police, in which it was expressly stated that

four persons arrested under the Act "were discharged as holding conditional pardons, which in the opinion of the Attorney General, to whom they were submitted, were sufficient." His Grace therefore naturally inferred that the Act either did not in fact apply to this class, or that it would be amended, if the opinion which he had formed of the unintentional operation of its language was shared by the Council. But he judged it best to abide by his decision to advise the disallowance chiefly on account of the evidence before him, that the Act was understood in Van Diemen's Land as excluding from Victoria conditionally pardoned persons, and he communicated that decision to Mr. La Trobe by his Despatch of September 30, 1853.

8. Evidence was soon received to show that the Duke of Newcastle's apprehensions were well founded, and that Mr. La Trobe's description of the Act was erroneous, from whatever circumstances he may have been led into the error. Mr. La Trobe's Despatch of the 8th October 1853, announcing his intention not to publish the disallowance when received, and enclosing the second or reserved Act, amply proved this; and in a Despatch subsequently received from Van Diemen's Land (dated 15th March 1854), Sir William Denison brought distinctly to the notice of Her Majesty's Government the fact, that "there were men, holding conditional pardons under Her Majesty's authority, who were then suffering punishment in Victoria under sentences of imprisonment with hard labour; their sole offence being, that by the terms of the Convicts Prevention Act, they were convicts illegally at large, notwithstanding the pardon which had been granted to them."

Parliamentary
Papers, May 1854,
page 125.

9. Before this Despatch arrived from Sir William Denison, you had left this country for Victoria, having personally received instructions from the Duke of Newcastle upon this question, and in the hopes, as your Despatch expresses it, of effecting some satisfactory arrangement respecting this question. Sir George Grey transmitted to you a copy of Sir William Denison's Despatch; he particularly brought to your notice the words which I have now quoted, and added, that "with reference to the cases mentioned by Sir William Denison," (that is, the cases of holders of conditional pardons,) he had to direct you to ascertain whether the information was correct, and if so, he suggested that, "in order to prevent so obvious an injustice, and so serious an encroachment on the prerogative of the Crown, you should, without delay, cause free pardons to be issued to such alleged offenders against the Act." It is necessary that I should cite this passage verbatim, because you do not appear to have correctly apprehended it, if I am to judge by the terms of your present Despatch, wherein you say that Sir George Grey suggested that you should release "any men who might be undergoing imprisonment on account of the violation of the Convicts Prevention Act." My predecessor's Despatch applied not to offenders generally, but to that particular class of persons who, according to Mr. La Trobe's original explanation of the Act, were, as holders of conditional pardons, exempt from its provisions.

10. The whole of the difference between Her Majesty's Government and the Colonial Legislature has been hitherto confined to this point, namely, the treatment of persons holding conditional pardons. No objection has been made to the confirmation of the Act on any other ground, notwithstanding the opinion expressed by the Duke of Newcastle as to the undue severity of some particular provisions.

And this being the case, I have looked very carefully at the evidence before me, in order to discover if any reasonable ground could be shown for supposing the conditional-pardon holders already in the colony were chargeable as a class, or numerous as individuals, with frequent violation of the law. I find, in your Despatches, strong testimony to the general danger incurred by society from "the prevalence of the convict element;" but it is well known that a very large proportion of that element consists of convicts who are in reality "illegally at large;" prison breakers and deserters from legal control; persons against whose exclusion, if it be practicable, no objection whatever has been made by Her Majesty's Government. But of frequent outrage committed by the holders of conditional pardons I find no proof adduced, either in your Despatch or in the report of the Acting Chief Justice and other documents which accompany it. I do not of course found any general assumptions on this circumstance, but I cannot but think that if the commission of any considerable amount of crime had been brought home to the class in question, testimony so important to the value of the excluding law would not have been withheld from me.

VICTORIA.

11. But your Despatches suggest also another consideration. If it be true that Victoria is even now seriously infested by offenders of the convict class, to whatever section of that class they may belong, it is impossible not to infer that the law which you seek to prolong has failed in its effect. For at the date of your Despatch of 18th November 1854, the original Convicts Prevention Act, and that now under consideration, had been already more than two years in operation. And this is precisely what might have been expected beforehand. Enactments of such extreme severity are apt to defeat their own object. The convict who is flying from justice, accustomed to break or evade the law, disregards this additional obstacle; whilst the conditionally pardoned man who is really anxious to maintain himself by his industry (and there are doubtless numbers who belong to this class), is excluded by it.

12. Her Majesty's Government therefore remain of opinion that the provisions even of the former law were rightly disallowed; but the Legislature of Victoria has now gone farther. You have given in the present instance Her Majesty's assent to a law not only (to use your own words) "full of harshness, injustice, and severity," but more objectionable in its provisions than that previously disallowed; inasmuch as it extends not only to all persons who have ever been convicted of a transportable felony, whose sentence is unexpired (thus confounding under one common penalty the fugitive from justice, the holder of a conditional pardon and the holder of a free pardon, possibly on the ground of established innocence); but even to those whose sentences have expired, who are made subject to its penalties unless three years have passed since such expiration.

13. It is impossible that Her Majesty's advisers can recommend her to allow such a law to remain in operation in one of her colonies. I shall not, however, advise the immediate disallowance of the Act; I shall await your reply to the present Despatch. I am ready to admit that considerable inconvenience might follow from the immediate abrogation of all its provisions, and I therefore give you this notice of the course which Her Majesty's Government feel it incumbent on them to adopt, in order that measures may be taken for substituting for it an Act free from the serious objections to which this is liable.

14. Such a law, while it maintained the exclusion of all persons in the true sense illegally at large, might comprehend such provisions of a police or vagrant law as might best meet the acknowledged difficulties of the case, and exigencies of so peculiar a society. It might further, in order to deter former offenders from the commission of crime, render punishable with greater severity offences of the same class, if committed by persons who had ever been convicts, than if committed by others. To such stringent measures persons of this class might justly expose themselves, if they thought proper to take up their residence in Victoria. Nay, it might be proper to exclude from the Gold Fields, under a moderate penalty, convicts under conditional pardon. For the conditional pardon implies that such persons would not be allowed to be at large in the United Kingdom. I can well believe that the temptations of the Gold Districts might bring such convicted persons in such numbers together as might be dangerous to the public peace; but an enactment for the purpose of excluding such convicts from these districts should be limited as much as possible to the Gold Fields and their neighbourhood; nor should it in any case ever include persons who have received a free pardon on the ground of their innocence of the crime of which they had been legally convicted.

15. I cannot but trust that on your clearly explaining the grounds of this decision to the Legislative Council, they will admit the force of the reasons which have influenced Her Majesty's Government, and will be prepared to give effect to what appears to have been their original intention, if the Duke of Newcastle was rightly informed respecting it, and will thus avoid violating those principles which, according to M. La Trobe's express statement, it was proposed to preserve in framing the first Act, while they will provide reasonable security against the danger to be apprehended from the unavoidable presence of the convict element in the colony.

Governor Sir C. Hotham,
&c. &c. &c.

I have, &c.
(Signed) J. RUSSELL.

SOUTH AUSTRALIA.

Despatches from Governor Sir H. E. F. Young.

No. 1.

No. 1.

COPY of a DESPATCH from Governor Sir H. E. F. YOUNG to
the Right Hon. Sir GEORGE GREY, Bart.

(No. 85.)

Adelaide, October 9, 1854.

(Received January 25, 1855.)

SIR,

See Appendix.

I HAVE the honour to transmit Act No. 3 of 1854, "An Act to repeal an
" " Act to provide for the Commutation of Sentences of Transportation, and to
" " substitute Imprisonment with Hard Labour as a Punishment in lieu of Trans-
" " portation and for the Employment of Prisoners sentenced to Hard Labour,"
" " and to substitute other Provisions in lieu thereof."

I have the honour to report that assent in the name and on the behalf of Her
Majesty has been given to this Act, and to solicit Her Majesty's gracious
confirmation.

Herewith enclosed is a report on this Act from the Advocate General.

I have, &c.

The Right Hon. Sir George Grey,
&c. &c. &c.

(Signed) H. E. F. YOUNG.

Encl. in No. 1.

Enclosure in No. 1.

Advocate General's Office,
September 29, 1854.

SIR,

I HAVE the honour to acknowledge the receipt of Act of Council No. 3 of 1854,
intituled "An Act to repeal an 'Act to provide for the Commutation of Sentences of
" " Transportation, and to substitute Imprisonment with Hard Labour as a Punishment in
" " lieu of Transportation, and for the Employment of Prisoners sentenced to Hard Labour'
" " and to substitute other Provisions in lieu thereof."

The object of this Act is indicated by its title. In the first Session of the present
Legislative Council, it became necessary, in consequence of a Despatch from the Right
Honourable the Secretary of State for the Colonies intimating that prisoners were no
longer to be transported to Van Diemen's Land, to provide for their custody and employment
within the limits of the province. The Government intimated its intention to introduce
a bill for this purpose which it was intended to make the basis of an effectual system, and
it was hoped self-supporting system of prison discipline, but in the discussion on the
subject in the Legislative Council it became clear that no such measure would receive the
sanction of that body. The bill that was introduced consequently was confined to the
simple commutation of sentence of transportation to sentence of imprisonment with hard
labour, and to conferring upon the Governor general powers of regulation and employ-
ment

Since that time sufficient experience has been obtained of the requirements of any
plan for the custody and employment of convicts to warrant some more specific legislation
on the subject, and the judges having addressed a letter to his Excellency suggesting that
the nature and duration of the punishment to be substituted for transportation should be
more definitely fixed than was done by the existing law, the present Act was introduced
by the Government to accomplish their objects.

The provisions as to the punishment to be substituted for transportation have been
adopted with slight modifications from the English Act on the same subject. The Act
further provides for the erection of labour prisons for prisoners so sentenced, places the
prisons under the charge of the Comptroller of Convicts; relieves the Sheriff from the
charge and responsibility of the custody of prisoners sentenced to these long periods of
imprisonment, and provides for the regulation of their prisons.

I have now only to add that I am not aware of any reason why this Act should not
receive the assent of his Excellency in the name and on behalf of Her Majesty.

I have, &c.

(Signed) R. D. HANSON,
Advocate General.

The Honourable the Colonial Secretary,
&c. &c. &c.

WESTERN AUSTRALIA.

Despatches from Governor Fitzgerald.

No. 1.

No. 1.

COPY of a DESPATCH from Governor FITZGERALD to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 130.)

Government House, Perth,
Nov. 17, 1854.

(Received Feb. 13, 1855.)

Sir,

(Answered, No. 13, April 13, 1855, page 154.)

I do myself the honour to transmit the estimates of convict expenditure for this colony for the year 1855-56, amounting to the sum of 98,724*l.* 17*s.*, after making provision for 800 prisoners and 700 ticket-of-leave men, being the nearest estimate of numbers I felt authorized, in the absence of any positive instructions, to direct the Convict Finance Committee to calculate for.

2. The minutes of the committee on this occasion, which I do myself the honour to transmit, will, I trust, be satisfactory evidence how closely these gentlemen have investigated every portion of the contemplated estimate under the different heads of expenditure. It will also be my duty, before closing this Despatch, to convey to you the views I entertain bearing on these items generally, as submitted.

3. I regret being obliged to observe that, however large this estimate may appear, I am unable to see in what way it can be well reduced, consistently with the many wants of an embryo penal establishment. If, however, reduction is necessary, I would strongly recommend that it should take place in the number of prisoners and ticket-of-leave men, for which provision is made to an amount of 41,458*l.* for rations alone,—a large sum, but unavoidable, from the cost of every necessary of life in this colony.

4. The estimate for public works and buildings is also large, but will, within two years from this, admit of reduction by two thirds of the present amount, as by that time I trust all the public buildings will be nearly completed, unless Her Majesty's Government should determine on further extending the penal establishment in this colony.

5. With these few observations, I shall now proceed to consider the different items:—

6. Item No. 1, Comptroller General, 2,162*l.* 10*s.*—This amount is 221*l.* in excess of this year's estimate on this behalf, and includes an increase of salary of 100*l.* a year, and a second forage allowance to the Comptroller General, both sanctioned by your predecessor. The only other increases being 50*l.* a year to the Comptroller General's chief clerk, making his salary 250*l.*, and 20*l.* to the salary of the cashier, making it 200*l.* The increase of duties consequent on the accession of numbers have, no doubt, influenced the committee in recommending this increase to two most assiduous and deserving officers, in which recommendation I fully concur.

7. Item No. 2, Convict Establishment, Fremantle, and Branches, 7,897*l.* 5*s.*—This item embraces the salaries of the superintendent and those of all the officers in connexion with the principal establishment, Fremantle, as also the two depôts of North Fremantle and Freshwater Bay, four miles distant from each other. I am unable to see how this item can be reduced, with the exception of the forage to the superintendent of the chief establishment, whose duties more properly being within the walls of the prison, I am unable to recognize his claim to forage, which would only be an inducement to be absent from his post. If the number of prisoners should, as before, exceed the accommodation within the principal prison, and oblige parties of prisoners being detached on the roads in close proximity to Fremantle, then only would it be necessary that Mr. Dixon should visit such parties, in which case the Commissariat would furnish a horse as occasions required. I would also draw attention to the necessity of fixing the proper scale of officers for every 100 convicts, as may be suggested by prison experience at home, which should not be departed from here, unless in exceptional cases under the authority of the Governor.

8. Item 3, Ticket-of-Leave Depôts, 4,391*l.* 11*s.* 6*d.*—The necessity of selecting distant stations for establishing hiring depôts was found absolutely necessary to give any hope of the absorption of the ticket-of-leave men into private service. The dispersion of these men in detachments, in preference to working them in congregated masses, has been productive of much good on the score of discipline, and of obedience to law and order, and of incalculable advantage in developing the resources of the colony, by improving the roads and opening up new lines of communication, as in the case of the road from Perth to Albany, the only route by which we now communicate with the world, the Government receive their Despatches, and the community at large their European and colonial letters.

9. This arrangement has also brought labour to the doors of the settlers, who otherwise would not have sought it at the cost of time and money that proceeding to head quarters, a distance, in some instances, of over 100 miles, would have entailed. In short, I know of no measure that has given more universal satisfaction to the agricultural interests than these establishments; and although they may, as in the present instance, appear a considerable item of expenditure, I have little hesitation in stating that, looking at the increased numbers taken off the hands of Government from these different depôts, as compared with what would have been had these men been kept at head quarters, that the establishment of these hiring depôts has, on the whole, proved a measure of economy.

10. Item 4, Visiting Magistrates, 715*l.* 4*s.*—An absolute necessity has arisen for an increase of pay being given to the several magistrates having road parties to visit, very often at considerable distances, were it only to cover the expenditure in horses, independently of the great amount of personal labour the being so constantly in the saddle in a warm climate entails. This is more particularly the case in the Port Gregory and Toodyay districts, which, from their great extent, oblige the magistrates to keep two horses, whereas until lately they only drew forage for one; when, learning the number of horses these gentlemen had worn out, I felt it my duty to bring their peculiar case before the Finance Committee, who recommended them for an additional 50*l.* per annum each from the 1st September last, which received my approval.

11. Item 5, Medical Department, 861*l.* 4*s.*—The want of properly-qualified medical men in this colony to meet the wants of the hiring depôts and road parties has been a source of serious embarrassment to the Government, compelling the giving the medical charge of stations to ticket-of-leave men, who are in most cases men without the best characters, and who, there is every reason to believe, abuse their trust by improper disposal of medicines, and medical comforts more especially, which, in the absence until very recently of any visiting principal medical officer, they could do with comparative impunity, by entering the improper issues of medicines and medical comforts as having been given to the sick. These men, it is hardly necessary to say, have generally proved themselves as ignorant as they are dishonest; yet so pressing have been the wants of the service in this particular, with no qualified medical man in many instances within 100 miles, that any man having the slightest knowledge of compounding medicines was gladly availed of. The serious evils arising from this system are too apparent to need any detail from me.

12. Under these circumstances, I fully concur in the recommendation of the committee, and venture to solicit that five staff assistant army surgeons be, if possible, added to the convict medical staff of this colony, who, I am led to believe, can be sent here from Van Diemen's Land, in consequence of the breaking up of the convict establishment there.

13. In this item you will perceive the sum of 200*l.* for the surgeon of the Bunbury district. The committee have omitted to explain that this sum, so much in excess of that allowed in other districts, is given to a properly qualified surgeon, who is obliged to find all medicines and surgical appliances, except trusses, at his own expense, both for the depôts and road parties in the district; and he is bound to visit all these parties when not more distant than thirty miles from the depôt once a week, or oftener if necessary, finding his own horse, without any allowance for forage, so that the arrangement as a whole is one of economy rather than otherwise, when it is considered that the numbers on the hands of Government in the Bunbury district during the last year averaged more than 150 men.

14. Item 6, Religious Instruction, 1,266*l.* 4*s.*—The committee appear to have considered this want with a seriousness suitable to the occasion. I concur with the committee that the sum now given is totally inadequate to meet the religious wants of the various depôts and road parties. The sum of 300*l.* given by Earl Grey in acceding to the prayer of a memorial from the York district, I have always considered a sum given (though charged to convict funds) to assist the local government in procuring the services of three clergymen for the districts or parishes of York, Bunbury, and Fremantle, where were and are now residing large numbers of conditional-pardon men and ticket-of-leave men in private service; but which could never have been expected to secure religious instruction to depôts and road parties in many cases thirty miles distant from the minister's dwelling or parish church; the consequence is, that many of these parties never see or hear a clergyman for months together, and as I presume, it was not the intention of Her Majesty's Government to limit their religious care of these men only to their stage of probation as prisoners, regardless of any in their subsequent stage when given tickets of leave, I most anxiously solicit that the amount of Item 6. be granted without reduction to meet the wants of upwards of 3,000 convicts, Protestants and Roman Catholics, at large and on the hands of Government.

15. Item 7, Royal Engineer Department, 1,070*l.* 5*s.*—The salaries and allowances under this head having been sanctioned by Her Majesty's Government, calls for no observation.

16. Item 8, Transport, 2,790*l.* 16*s.*—This item, as to land transport, I have every reason to hope will be on the decline, from the fact of districts where are situated ticket-of-leave depôts becoming daily more capable of supplying the wants of the Commissariat Department, and thus save the necessity as hitherto in many cases of transporting supplies purchased in other colonies from head quarters into the interior at greater cost.

17. The water transport is that of greatest difficulty in the absence of a colonial vessel, the necessity for which has been so frequently and strongly urged on your predecessors. To give some idea of the present difficulty the Government have in throwing in supplies of stores, provisions, or men, or in withdrawing those who are turbulent or troublesome to head quarters from the seaboard depôts, I have to report that some two months since wishing to send down 50 men to the Albany depôt, the whole of the men forming the depôt there having been taken into private service, the lowest tender the Commissariat received for the execution of this service by a small brig was 250*l.* Viewing this as exorbitant for a voyage of a week or ten days, I determined on marching the men overland by the new road to Albany already spoken of, and I am happy to think the march was effected through 300 miles of uninhabited country without injury or risk of any kind, and at a cost of 120*l.*, effecting a saving of 130*l.* over water carriage, had the tender spoken of been accepted.

18. Item 9, Erection and Repairs of Buildings, 10,804*l.* 7*s.* 4*d.*—When the number of buildings and amount of repairs given in the various estimates are considered, I trust it will appear that every regard to economy has been observed. This amount of expenditure contemplates the completion of the new prison for the reception of 800 men,—560 in cells and 240 in association,—commissariat store, centre building, chaplain's house, gasworks, and water pipes (already brought under notice in my Despatches Nos. 115 and 116 of 7th November instant), repairs and alterations to pensioners' barracks, with other items in connexion with road parties and depôts.

19. Item 10, Water Police, 890*l.*—Water police remains the same as last year, with the exception of an increase of 50*l.* to the salary of the superintendent; but as this has already been brought under notice in my Despatch No. 64, of 26th June last, it is unnecessary to make any further comment.

20. Item 11, Magistracy and Police, 8,017*l.* 8*s.* 6*d.*—The small salaries of the rural police magistrates I propose to bring before you on another occasion.

The increase to the police force of the colony, as compared with that of last year, became absolutely necessary from the general increase of population, the large number of conditional-pardon men discharged from the hiring depôts, and the equally large number of ticket-of-leave men sent from the convict establishment into depôts, as also to put down the aggressions of the wild natives in the Champion Bay district. This increase has been borne by the Imperial Government in the proportion of 1,017*l.* as compared with that borne by the local

government of 1,182*l.* 11*s.* 6*d.*, the latter sum being I trust sufficient evidence that the increase would not have been proposed had it not been absolutely necessary.

21. Item 12, Apprehension of Runaway Convicts, 150*l.*—This is merely contingent, and may not amount to 10*l.*

22. Item 13, Wages of Ticket-of-Leave Men, 4,136*l.* 6*s.* 8*d.*—This I trust will only prove a nominal item, though proper to be provided for, as notwithstanding the amount of passage money paid by the ticket-of-leave men in private service has hitherto met the earnings of those on public works, there is no certainty that such will always be the case.

23. Item 14, Gratuities to Prisoners, 1,143*l.* 15*s.*—This amount will be entirely governed by the number of prisoners in the establishments, and their discharge on tickets of leave when they are only paid their gratuities.

24. Item 15, Miscellaneous Services, 1,468*l.*—This calls for little remark, with the exception of 100*l.* increase to the allowance for postal accommodation, recommended by the committee, knowing the heavy expence entailed on the local government by the transmission of the commissariat and convict correspondence throughout the colony, and more especially from and to England and the colonies by way of Albany, a distance of 300 miles. The advertisements, printing, and stationery being by tender, the cost is kept within the smallest sum. The increase of 25*l.* a year recommended by the committee to their secretary is fully merited from the very great increase of this gentleman's duty in connexion with the Board.

25. Item 16, Prison Clothing, Stores, &c., 2,000*l.*—This expenditure will, as the committee observe, be governed by the amount of supplies sent from England, where they can be purchased 100 per cent. cheaper than here.

26. Item 17, Provisions, 41,458*l.* 13*s.*—Looking at the high prices prevailing in this colony for wheat, even at the present time when there is every assurance of an abundant harvest, with a very large increase in the extent of land brought under cultivation as compared with last year, I have little doubt the price of flour will range higher both here and in South Australia (where there is every probability of a very short harvest), than it was last year; I therefore cannot give hope of a reduction in this item, if the number of men estimated for remain unchanged.

27. Item 18, Fuel and Light, 2,495*l.* 6*s.* 9*d.*—Having brought the subject of lighting the prison with gas under your notice in my Despatch No. 116, of 7th November instant, it is unnecessary again to go into that question.

I have, &c.

(Signed) CHARLES FITZGERALD.

Sir George Grey, Bart.

&c. &c. &c.

WESTERN
AUSTRALIA.

Enclosure 1 in No. 1.

Encl. 1 in No. 1.

SCHEDULE of ESTIMATES; showing the probable amounts to be disbursed from Convict Funds, on account of the various Services in connexion with the Convict Department at Western Australia during the year 1855-6, embracing Items Nos. 1 to 18, explanatory Sub-estimates herewith.

No. of Item.	Service.	Proposed Expenditure.		
		£	s.	d.
1	Comptroller General's department - - - - -	2,162	10	0
2	Principal prison and branches - - - - -	7,897	5	6
3	Hiring stations and road parties - - - - -	4,391	11	6
4	Visiting magistrates - - - - -	715	4	0
5	Medical department - - - - -	861	4	0
6	Religious instruction - - - - -	1,266	4	0
7	Royal Engineer department - - - - -	1,070	5	0
8	Land and water transport - - - - -	2,790	16	0
9	Erection and repairs of public buildings - - - - -	10,804	7	4
10	Water police - - - - -	890	0	0
11	Magistracy and land police { Magistracy £1,000 Police £7,017 8s. 6d. } - - - - -	8,017	8	6
12	Apprehension of runaway convicts - - - - -	150	0	0
13	Wages of ticket-of-leave men - - - - -	4,136	6	8
14	Gratuities to prisoners - - - - -	1,143	15	0
15	Miscellaneous services - - - - -	1,468	0	0
16	Prison stores, clothing, &c. - - - - -	2,000	0	0
17	Provisions - - - - -	41,458	13	0
18	Fuel and light - - - - -	2,501	6	6
Total - - - - -		93,724	17	0

Amounting to ninety-three thousand seven hundred and twenty-four pounds, seventeen shillings sterling.

Comptroller General.

Perth, September 30, 1854,

Deputy Commissary General.

(Signed) Approved,
CHARLES FITZGERALD,
Governor.

Encl. 2 in No. 1.

Enclosure 2 in No 1.

Convict Finance Board, Western Australia,
Perth, September 30, 1854.

PRESENT:

Colonial Secretary,
Comptroller General,
Deputy Commissary General.

The estimates for the year 1855-6 having been laid on the table, the committee proceeded carefully to scrutinize each item as produced for consideration.

In submitting their remarks upon the estimate of the probable sums that will require to be defrayed from imperial funds during the ensuing year, they would observe that a different mode of classification of the services has been adopted this year, so as to afford a more ready means of establishing a comparison of estimate and expenditure at the expiration of the year, thereby overcoming a difficulty which now presents itself to a truthful comparison of the past estimate, in consequence of none having heretofore been prepared in a similar manner.

The Board would also draw attention to the very sensible difference that will be apparent in the prices of all articles, whether they consist of the necessaries of life or building material, produced in the colony or imported, causing corresponding increase in the estimated expenditure, and will, in a great measure, account for the necessity that has arisen for the proposed increments to meet this state of things.

There is no question but that this colony experiences all the disadvantages of a proximity to the more favoured portions of Australia, without any one single benefit being derived therefrom. This circumstance has limited our importations, and, in a corresponding ratio, enhanced our prices, besides withdrawing our best mechanics and others in that station of life, tending to maintain a high rate of wages to the few who remain.

The price of flour, to private consumers, has risen during the current year to 50s. per 100 lbs.

Item No. 1, Comptroller General's Department, 2,162l. 10s.

The arrangements suggested, and the small increases herein proposed, are no more than may be considered adequate to secure competent persons to fill these offices.

Item No. 2, Convict Establishment, Fremantle, and Branches, 7,897l. 5s. 6d.

In treating with this item the committee have left much to the discretion of the Comptroller General, with whom, under the Governor's direction, must rest a knowledge of the wants of the principal prison, subject to a revision, if necessary, from home, where the question of a scale of prison officials it is suggested his Excellency should refer to the Secretary of State for determination.

The Deputy Commissary General observed, now that prison rules in their strictest form may be adopted within the new prison to be occupied next year, he would ask why prisoners services cannot be availed of for some of the offices inside the prison, and so limit the expense now proposed; the same reasons he considers hold good in regard to the discipline and other warders, now that greater facilities offer. Under this impression he was prepared for a reduction rather than an increase upon former numbers.

He would also beg to know why the following situations could not be filled by sappers, viz: tailor, shoemaker, cook, baker, store warder, washhouse warder, commissariat store warder, and gate keepers? He further remarks that the steward has three clerks and a store warder; could not the store warder be dispensed with, and one of the clerks be required to perform his duties in conjunction with his own?

The Comptroller General, in reply to Mr. Mends' observation, touching the employment of sappers in the several capacities before enumerated, would observe, that this has been tried, but was found, from the divided jurisdiction of the superintendent and officer commanding the company, to be wholly impracticable; those employed as instructing warders are confined strictly to the works.

To meet the question raised by the Deputy Commissary General, Captain Henderson states that no instructions have ever been received, establishing the number of discipline officers and others to be employed in the convict department in this colony, consequently he has been obliged to be guided by necessity and experience, and what has been gathered from the printed estimates of convict prisons elsewhere, in his recommendations to the Governor from time to time, in the formation of a suitable establishment. The present estimate of officers and others necessary to the prison at Fremantle, and for the supervision of its branches, is submitted for consideration, with a request that the committee will move his Excellency to bring the question under the special notice of the Secretary of State, with a view to some decision being received as to the proper scale to be allowed.

The new prison is built on an approved plan and model of English prisons; it contains 480 cells, four associated rooms for eighty men each, and eighteen punishment cells. He further takes leave to observe that this item has been framed with great care, and submits, in support of the requirements of the prison, a report from the superintendent of the establishment.

Sept. 14, 1854.

Item No. 3, Ticket-of-Leave Depôts, 4,391l. 11s. 6d.

Sappers as instructing warders are included at each station at 2s. for every day in the year, though the pay for Sundays is only to be drawn when they are required to act as discipline warders within the dépôt, any service performed on that day without the dépôt becomes a military duty for which they are paid as soldiers.

The establishment for each dépôt secures the advantage of the presence of three or more sappers, two or three civilian discipline officers, and two or four ticket-of-leave constables, besides a detachment of the pensioner force, and a small body of mounted and foot police always being in the immediate neighbourhood.

Perth.—The necessity for a senior assistant superintendent at this station, unless he has the charge of those between it and Fremantle, becomes in the opinion of the Deputy Commissary General questionable; indeed his duties otherwise do not appear to require him to be mounted.

Looking at the joint visits of the magistrate who resides at Perth, and the superintendent of the prison at Fremantle, who draws forage allowance for this and other purposes to Freshwater Bay and North Fremantle, each twice a week, and on different days, would appear to relieve the officer in charge of much responsibility. Both the Colonial Secretary and Comptroller General are of opinion that the station at Perth is an important one, and requires that the charge of the dépôt should be vested in a superior officer, and that some public work or other will always be going on requiring detached parties to be visited by the superintendent.

Albany.—So soon as the buildings are completed at this station, the necessity for the superintendent drawing forage allowance will cease, unless road parties are attached, and even then if the commissariat can, they will furnish a horse.

The Comptroller General replied that there were other duties in connexion with the station that require this officer to be mounted.

Port Gregory.—This station, as well as Albany, entails a much heavier expense on the Imperial Government than any other of the dépôts, from the difficulty of keeping them supplied with any degree of certainty or regularity.

Albany Road Party.—A senior assistant superintendent has the charge, in consequence of the distance they are from all means of coercion rendering it indispensable to have a superior officer present at all times. The transport of supplies to, and the maintenance of,

this road party has been, and continues to be, attended with a very great outlay, beyond the cost of a similar party on a road attached to a depôt elsewhere.

Bunbury.—Has since the latter end of 1851 had road parties attached, causing additional expense in keeping up the supplies, and furnishing the same by land carriage, generally at long distances from the depôt.

As far as practicable, it is proposed by the Deputy Commissary General that a horse should be kept at certain depôts having road parties, for the use of those requiring to travel on convict service; this arrangement would supersede the expense of forage allowance to the superintendent.

The Colonial Secretary remarked that the peculiarity of the colony, which consists in the great distances apart of the localities fit for colonization, must be taken into consideration when the employment of the ticket-of-leave men on road parties is considered.

The colony will be able to support a large population only by opening up these districts. The Albany Road is at present our only means of regular communication with the rest of the world; a large portion is already made, and it will be probably necessary to keep only a small number of men on the road to keep it in repair when it is once complete, which will probably be in the course of a year.

Item No. 4, Visiting Magistrates, 715l. 4s.

In consequence of the urgent and repeated representations received from the several magistrates by his Excellency the Governor, pointing out the inadequacy of the allowance granted to them for the performance of their joint duties as resident and visiting magistrates, and the expense they are put to in visiting the road parties, it has been deemed only just to these officials, with the Governor's concurrence, to place on this estimate 50l. for each magistrate visiting the road parties in his district.

It is only right to observe, that the committee, though repeatedly urged to this measure, have hitherto declined to entertain any increase; they now only bend to circumstances in proposing this addition to the magistrates' income.

Item No. 5, Medical Department, 861l. 4s.

The committee would respectfully suggest for his Excellency's consideration the urgent necessity for application being made for medical aid; it is important that each district should be provided; the number of professional men required is five. Staff assistant surgeons are, it is submitted, those best adapted for this service.

At the Toodyay and Port Gregory depôts, and Albany Road party, the medical duties, in the absence of qualified practitioners, devolve on ticket-of-leave men,—a practice altogether objectionable, but unavoidable.

The amount allowed by the Home Government for this branch, viz., 500l. per annum, is not sufficient to secure the services of proper professional men at all the stations. Of the amount of estimate under consideration, a portion only is chargeable to the 500l., the remainder being for salary and allowances of the principal medical officer, and the surgeon of the principal prison at Fremantle.

The Colonial Secretary added, if properly qualified medical officers are provided in the different districts, the Colonial Government have never refused their assistance with a view to secure medical assistance for the native purposes and their own officers.

Item No. 6, Religious Instructions, 1,266l. 4s.

The committee approach this question with some considerable reluctance, not unattended with feelings of deep regret at the small provision which appears to have been made for the performance of services involving the most serious considerations, as affecting the religious instruction of the prisoners, and tending to retard the objects aimed at by the Home Government, whilst it is viewed here as of grave importance to the working of the moral force system hitherto so successfully adopted towards these men.

In submitting the foregoing remark, they would desire to bring under his Excellency's notice for representation the very limited allowance of 300l. a year for religious instruction throughout this wide spread territory, exclusive of the chaplains at the principal prison, who only perform duties of a local nature and cannot be detached, only admits of the depôts at York and Bunbury enjoying this privilege, leaving no provision whatever for a similar advantage at any of the other depôts throughout the colony.

The clergyman at Fremantle, though receiving one third the amount allowed for religious instruction for convict purposes in connexion with the depôts, does not perform any duty for the convict service, but is merely engaged as the minister of a parish.

The Colonial Secretary remarks that at Perth Mr. Wittenoom, the Colonial Chaplain, is in the habit of visiting the sick when sent for at the Perth depôt, and there is a portion of the church set apart for ticket-of-leave men, but not near sufficient.

The Colonial Government will always be ready to assist in obtaining sufficient religious instruction for the districts, in conjunction with the Imperial.

The Deputy Commissary General adds that 300l. were paid by the Imperial Government for the purpose of securing additional accommodation to these people in the churches at Perth and Fremantle.

There have been placed on the estimates, at his Excellency's desire, the small sums hitherto issued at the several stations not otherwise provided for; the committee would express a hope that these amounts of remuneration to the clergy for performing the church services will receive the sanction of the Home Government, to whom they would most strenuously solicit of his Excellency to make a serious and urgent application for clerical assistance, and with it the funds to meet the spiritual wants of the various depôts and road parties throughout the colony.

*Item No. 7, Royal Engineer Department, 1,070*l.* 5*s.**

The provisions made for having a non-commissioned officer of the Royal Sappers and Miners in charge of works at each station where there is no Royal Engineer officer, appears a judicious arrangement; the pay of 2*s.* 6*d.* a day as working pay is only adequate to the duty; not paid for Sundays.

*Item No. 8, Transport, 2,790*l.* 16*s.**

The amount shown on this item is necessarily large, arising from causes indispensable to the maintenance of a large and growing establishment of hiring stations, widely spread over an extensive territory, where no sort of transport is procurable other than at a heavy cost.

The advisability of having a Government vessel has already been so recently submitted for the consideration of the Home Government, that it would appear out of order to revert to the subject here, further than to say that every economy will be observed in the disposal of the appliances at command in the colony.

*Item No. 9, Erection and Repairs of Buildings, 10,804*l.* 7*s.* 4*d.**

Estimate No. 1.—This estimate provides for the completion of the prison building at Fremantle, as authorized by the Secretary of State in his Despatch dated , at an estimated cost of 6,977*l.* 19*s.*, of which two thirds, being a sum of 4,652*l.*, was approved on the estimate for 1854-5, leaving one third to be provided for in the estimate.

The building includes 480 cells, 4 associated rooms for 80 men each, total 800 prisoners; also chapel offices for the superintendent, chaplain, surgeon, visiting justices, waiting room, warder's room, &c.

Estimates No. 2 and 3.—Full reports and estimates of these two items have been furnished to his Excellency for transmission to the Secretary of State, and by them provision is made for supplying the prison with light and water.

It is estimated that the saving effected by using gas, made from resin procured in the colony, instead of oil, will amount to about 1,000*l.* per annum.

The Deputy Commissary General observes, that the fullest information must be given ere the introduction of gas can be recommended, or the expenditure recognised, as much will depend upon the continuance of the convict system in this part of the world. The present mode of lighting the prison and barracks, and all public buildings, is by oil, which issue, in the event of the system ceasing, could be discontinued without any expense; whereas the construction and maintenance of expensive machinery, to which the present sum asked may be only a prelude to further demands, involving a serious outlay, which, when once commenced, the difficulty is to check it.

Were the establishment a recognised permanent fixture, the advantage might doubtless be great, because a very considerable saving is contemplated in the expense of light; the question of adoption, therefore, rests wholly with the home authorities, who should be in possession of all particulars.

Estimate No. 4.—The chaplain's house, as originally authorized, having been appropriated under his Excellency's sanction as offices for the Comptroller General and Royal Engineer Department and stores, it is proposed to appropriate the sum of 500*l.* for the erection of a suitable official residence for the chaplain.

Estimate No. 5.—The pensioners' barracks having been unavoidably occupied before completion, and other buildings being urgently required, have never been finished.

The building consists of eight houses of eight rooms each, 12 x 10, intended to afford accommodation for 32 pensioners and their families, giving two rooms to each pensioner; at present many of these rooms are only divided by partitions, and some not at all. It is proposed to lath and plaster the partitions, and to provide shelves, accoutrement pins, and arm bands; also to concrete the floor under the gallery, and attach eaves, gutters, and stack pipes to the gallery.

It is also provided, consequent on the exposed situation, to give the building another coat of shingles, and to erect a verandah along the front.

A privy (the present one being only temporary) and a quartermaster's store are also provided.

Repairs and alterations to the pensioner's barracks at Fremantle, from the additional accommodation it will afford the occupants, renders it a work so highly necessary that the Deputy Commissary General conceives its completion should take precedence of all, next to the principal prison; until this is done tenements must be hired, however ill

adapted in themselves, and always at a distance from the pensioners' barracks, causing much inconvenience.

Estimate No. 6.—The plan of the commissariat store has been already approved by the Treasury; one wing only has yet been built, and further accommodation having become indispensably necessary, consequent on the accumulation of stores now much crowded, and the impossibility of obtaining hired storage except at an exorbitant rate, provision is made in this estimate for the erection of the centre portion of the store according to the approved plan.

The commissariat store was originally estimated for in 1851; one wing only has been sufficiently completed to admit of its occupation, though to this day it remains unfinished, without permanent doors or flooring to the lower portion of the store. The cramped space for the proper reception of provisions and stores has already been repeatedly adverted to in the Deputy Commissary General's reports to his Excellency, as being attended with much inconvenience and risk of injury to the public service.

Mr. Mends has been anxious to secure hired premises, deterred only from considerations of economy, on account of the heavy rent demanded; and whilst endeavouring to avoid the expense, he has abstained from asking for the completion of the building, as originally estimated for, until the principal prison was so far advanced as to ensure its occupation by June 1855, when the lease of the present hired premises ceases. Now that he has every reason to believe that this object will be effected, and that the Comptroller General will be in a position to undertake the work, he has no hesitation in asking for the same to be placed on the estimate for the ensuing year.

The original suggestion for the erection of a commissariat magazine has already received the sanction of the Lords of the Treasury.

Estimates Nos. 7, 8, and 9.—These estimates are for the repair and purchase of tools; repairs to prison and workshops, and for barrack and office furniture.

Estimate No. 10.—Provides for casual and incidental services at the eight hiring stations at 25*l.* each, which are performed on the requisition of the barrack master.

Estimates Nos. 11 and 12.—Provide for tools to road parties, and to stations.

Estimate No. 13.—Provides for casual services for the four road parties, included in the estimates for this year at 15*l.* each.

Estimate No. 14.—The stations at Albany and Bunbury being complete,* no provision is made for any buildings at those stations, and it is proposed to expend 150*l.* in the completion of the stations at York and Toodyay, and Guildford.

Estimate No. 15.—Mount Eliza Station, near Perth, is only provided with a temporary wooden building as a barrack, and being an important station near the capital, a more suitable building will be required. It is therefore proposed to expend a sum of 300*l.* for this service.

200*l.* are intended for the stations at Port Gregory and the Vasse; the former is only just commenced, and the latter only in contemplation.

The committee remark that this estimate concludes the whole expense of the permanent prison at Fremantle, with the exception of some warder's quarters.

It also concludes the expenses of five out of the eight ticket-of-leave depôts, and unless further necessity arises, the expenses in this branch of the expenditure will, they anticipate, diminish in future years.

*Item 10, Water Police, 890*l.**

The only increase included here is 50*l.* for the superintendent water police, whose name has already been favourably brought before the Secretary of State for this addition to his very limited salary. The committee concurred.

*Item No. 11, Magistracy and Police, 8,017*l.* 8*s.* 6*d.**

The Deputy Commissary General advances the following remarks:—

Whilst the Home Government have decided to grant 6,000*l.* a year towards the maintenance of an adequate police force for this colony, and are prepared to extend that grant in the proportion of two thirds of all expenditure that can be shown to be borne by the local government, in excess of 3,000*l.*, or one half the original grant, it was done, I conceive, with the understanding that such force was to be employed on duties strictly appertaining to the police, and such as would be recognized by the Home Government.

Ere an increase is submitted home, Mr. Mends would ask what increase has taken place in the numbers and grades at the different stations since the 1st of April last. The return states Nos. present, Nos. proposed, and exhibits a proposed increase of ten on present Nos.; the present numbers do not appear to be those recognized on the 1st of April last, nor are the rates of pay and allowances the same; the difference should therefore be shown, and a reason given for the change.

The Deputy Commissary General would ask to be furnished with a statement of the sums actually expended monthly on account of the police during the five months ending 31st of August last, throughout the colony; distinguishing the pay and allowances from

* With the exception of superintendent's quarters at each, and two warders at Bunbury, not intended to be borne on this estimate.

the contingencies, which latter being so divided in the estimate, will require to be placed under their different heads. He would further wish to be informed regarding the question of fuel and light, showing the quantity issued, and for what purpose intended.

A liberal allowance appears to me to have been given to the contingent portion of the return, looking at the large supply of equipment handed over by the commissariat to the police in April last.

Between January and April last, 360*l.* worth of remounts, arms, and equipments were supplied to the police—new.

If the increases are passed, the following will be the gross amount of police expenditure for 1855–6 :—

10,526*l.* 2*s.* 8*d.*, of which the Imperial Government meets two thirds, viz., 7,017*l.* 8*s.* 6*d.*, and the local Government will pay one third, viz., 3,508*l.* 14*s.* 2*d.*

Amount of estimate to 31st December 1854, 2,326*l.* 12*s.* 8*d.*

Increase, 1,182*l.* 1*s.* 6*d.* on colonial account.

The Colonial Secretary handed in a memorandum as follows :—

The police estimate is based on the plan of division of expenditure contained in the Secretary of State's Despatch.

The whole force is employed on strictly police duties, with the exception of the conveyance of the northern mail, which takes three men about six days each month. It would be necessary to send the men to keep up the necessary communication were the mail conveyed by another method, and the total expense is much lessened, as the contract for the service would be additional to the present expense, and would probably, at least double it in amount. The men are available for policemen when not engaged in actually carrying the mail, and to a considerable extent when so engaged; and the only additional expense entailed on the police is one horse beyond what would be required if the mail were not so carried.

The number of men is increased by twenty men over the estimate in April last. Ten of these are at present added to the force as absolutely necessary. The force, particularly at Perth, Fremantle, and Albany, is over-worked, and the increase ought to have been made before. Four mounted men were added to the force to repel any irruption of wild natives at Champion Bay; two of these are to be transferred to other districts in want of them, and their places supplied by black guides. The increase of the force in this wild district is rendered necessary by the large number of conditional-pardon and ticket-of-leave men in the district, as well as by the conduct of the natives. It must be remembered that there is only one magistrate in the district. The Albany increase of two white and two black men was made to keep the necessary communication on the mail road to Perth, a distance of 300 miles, with two stations on it. The other increases are explained in the separate stations.

The Australind and Gingin allowance of ten pounds a year each are given to ensure in these districts a communication with regard to police matters, and for the constable to act in aid of the police when in the district. These places are both the centres of small population.

The contingent account and fuel and light expenditure for stations and stables is based on actual expenditure in this year.

I regret to say that the allowance for equipment of the police is caused by the very bad quality of the articles supplied. It is not possible to obtain good articles in the colony; saddlery lasts not more than one year, and it is a good colonial gun if it lasts three years. It would reduce the expense of this item to a very considerable extent if good guns, &c., were procured in England. The men must be well equipped or they are useless; and in order to keep the equipments in good order, the present system is the most expensive that could be devised.

I need hardly remind the Deputy Commissary General that demands have been repeatedly made for these articles from home and not attended to.

It would perhaps be easy to send through the agent general for these articles, and it is the intention of his Excellency to communicate with the Secretary of State on the subject.

The only alteration of pay is in the sub-inspector and the serjeant, at Perth, the former of whom receives 25*l.*, and the latter, 10*l.* a year increase. Both these men are active, useful officers, and it was found advisable on many accounts to give this increase of pay.

MEMORANDUM.

Magistracy	-	-	-	-	£1,000	0	0
The total expenditure voted on judicial account by the Colonial and Imperial Government for the year 1855 is,—							
Salaries	-	-	-	-	4,747	0	0
Contingencies	-	-	-	-	370	0	0
					£5,117	0	0

Of this the Imperial Government give 1,000*l.* as aid from convict funds to the stipendiary magistracy, and 400*l.* aid out of Parliamentary grant towards the salaries of the Com-

missioner of the Civil Court and the Advocate General, leaving 3,717*l.* to be defrayed from colonial funds.

*Item No. 12, Apprehension of Runaway Convicts, 150*l.**

This amount, it is considered, will be an ample sum to name for this service, half only having been expended during the past year.

*Item No. 13, Wages of Ticket-of-Leave Men, 4,136*l.* 6*s.* 8*d.**

This estimate includes the pay of medical attendants and constables at the depôts, who, being ticket-of-leave men, are chargeable on the ticket-of-leave pay lists.

The average rate of pay is calculated at 4*d.*, after deducting passage money, payable from all ticket-of-leave men throughout the colony, including those engaged in private service, as well as the men here estimated for as being likely to be employed on public works. The pay of these men on the works varies in proportion to their capacities, as mechanics or labourers on regular or task work, from 4*s.* to 8*d.* a-day.

*Item No. 14, Gratuities to Prisoners, 1,143*l.* 15*s.**

This is assuming the number of prisoners to be discharged, during the years 1855-56, to be 500, at 1½*d.* each per diem.

*Item No. 15, Miscellaneous Services, 1,468*l.**

The Board, for the same reasons that have been urged on behalf of certain increments being granted to the clerks and others of several branches of the Convict Department, would respectfully submit for consideration the claims of their secretary, whose services merit their approval. They would recommend that his salary be increased 25*l.* a-year.

Postage.—The Colonial Secretary states that a plan is in course of preparation for all public departments to use colonial stamps, such stamps to be purchased from the local Government, thereby superseding the present arrangement of an annual payment; the amount, viz., 600*l.*, may therefore be viewed as only nominal.

Advertising, Printing, and Stationery.—The two last expenses will depend very much on the required supplies coming from England.

Hire of Buildings will cease so soon as sufficient accommodation is built.

*Item No. 16, Prison Clothing, Stores, &c., 2,000*l.**

The expense on this account will altogether depend on the receipt of supplies from England; demands have been forwarded periodically.

*Item No. 17, Provisions, 41,458*l.* 13*s.**

This item of expenditure is in excess of former years, on account of the great rise that has taken place in the price of food everywhere, but in these colonies in particular.

*Item No. 18, Fuel and Light, 2,495*l.* 6*s.* 9*d.**

The requirements for light, now that the permanent prison is fitted with separate cells, will be increased considerably on former years.

These calculations are made in accordance with the scales at present in force, without reference to any change that may take place as to the mode of lighting the new prison; it being deemed more advisable to estimate on the old plan until the proposition to light the prison with gas is approved of by the home authorities. The difference of expense in light, after the first year with gas, will, it is considered, be important; the amount now estimated will, however, meet any moderate extra number of lights that may be required by the change.

Adjourned.

ALFRED DURLACHER,
Secretary to the Board.

Encl. 3 in No. 1.

Enclosure 3 in No. 1.

ANNUAL ESTIMATE, 1855-6.

Convict Establishment, Western Australia.

SIR,

Superintendent's Office, Fremantle,
14th September 1854.

I HAVE the honour to furnish you with a return, in duplicate, showing an approximate estimate for the amount required to be paid from convict funds on account of officer's salaries, contingent increases, on account of increases, for length of services, &c. &c., connected with the chief establishment, Fremantle, and its branches at North Fremantle and Freshwater Bay; such estimates being taken for the service of the financial year 1855-6.

In the estimates in question I have striven to consult the greatest economy, due regard being paid to the efficiency of every detail of this branch of the public service.

I have assumed that, during the year under consideration, a great change will take place in the economic arrangements of the prison, by the removal of the prisoners, &c. &c., to the new and permanent prison; and it may occur that some re-arrangement of warder's duty may be necessary. To provide therefore against every contingency; to secure the integrity of the discipline; I have made some slight alterations, which will appear on the face of the return, but which may be modified and reduced when guarantees are manifest, that the safety of the service and the community are not likely to be imperilled. It will be my duty to recommend such retrenchments when I see that I can safely do so.

I have suggested the appointment of an assistant chaplain, with a salary of 150*l.* per annum, and lodging allowance, no quarters being contemplated for such an officer in the new buildings. This officer would be eligible for the performance of clerical duty at the North Fremantle and Freshwater Bay branches, and the chaplain would be enabled to visit prisoners in their cells, with greater chances of advantage than the practice of addressing them in the presence of their fellows, when time and opportunities are wanting for his admonitions and instructions to germinate thought.

My experience in prison discipline has demonstrated to me, that this is the most likely way to make a reformatory effort; hence I strongly press the appointment upon your consideration.

The clerk in the chaplain's office was not estimated for in last year's return, but the appointment was approved by his Excellency. His duties are:—to perform the work of the office, taking charge of the library, preserving records of the men, in connexion with their religious training, teaching psalmody, writing letters for the incompetent, &c. &c.; and the appointment has been found of much utility. I would suggest the services of a person from England, of sound moral character, some attainments, and with a knowledge of vocal music, and competent to teach it, should be applied for, so that we might hope for the permanent retention of such an officer.

I also suggest the appointment of two additional principal warders; one for each large associated ward. The officers of this grade at present employed would be thus distributed: one to the cells; one upon the works. The fifth would be compounded to the infirmary. This officer was estimated and approved for this year, but the office was not filled up. A competent individual from England should be applied for.

The warders I have increased by two, not only for the reasons already assigned, but to supply openings for the number of assistant warders, of long standing, expected from England. The difference in pay is only 3*l.* per annum, and I think the openings thus afforded would supply salutary stimulants.

The assistant warders I have also increased by two, who will be required by the growing number of the re-convicted party,—prisoners who, being usually the worst of this unhappy class, require additional supervision.

Three gatekeepers will also be necessary, in consequence of their being two gates to the new prison; one gatekeeper, a probation warder, will be required for relief.

Of night or probation warders I have reduced the number by three, seeing that, as there are 240 cells, a less proportion of patrollers will be required than if the whole prison were fitted on the associated principle.

For the North Fremantle Branch I have added another assistant overseer, the parties working being much scattered upon the roads.

In conclusion, I beg to repeat that every bearing likely to affect the economical requirements of the Imperial Government have been carefully considered.

I have, &c.

(Signed) THOMAS W. DIXON,
Superintendent.

The Hon. the Comptroller General,
&c. &c. &c.

RETURN showing the Increase of the Police Force between April and October, 1854; also proposed increase in Estimate for 1855-1856.

Station.	Number increased between April and October 1854.	Remarks.	Proposed increase Estimate in for 1855 and 1856.	Remarks.
Perth	None	None	A detective appointed sub-inspector.	Having found this detective officer so very useful and energetic in the duties intrusted to him, it is thought advisable that he should have further scope, by inspecting out-stations, &c.
			1 mounted European	Finding that the present work is far too severe for both men and horses.
Fremantle and Mandurah	None	None	1 mounted European	Finding that the present is far too severe work for both men and horses.
Guildford	None	None	1 native assistant	To enable a regular communication to exist with the northern districts.
York and Beverley	None	None	1 foot European	Required to establish a night beat on account of increasing numbers of ticket-of-leave and conditional-pardon men.
			1 native assistant	The increasing rural duties are becoming too severe for the present numbers.
Toaday and Northam	None	None	1 mounted European and 2 foot Europeans	A most extensive district and scattered population; the mounted man required for rural duties.
				Required to establish a day and night beat; it is the most disorderly district we have in the colony.
Dundaragan	None	None	None	None.

Return showing the Increase of the Police Force between April and October 1854; also proposed Increase in Estimate for 1855-1856—continued.

Station.	Number increased between April and October 1854.	Remarks.	Proposed increase in Estimate for 1855 and 1856.	Remarks.
Champion Bay	- 4 mounted Europeans	- Increased in consequence of the natives in the Northern Districts giving much trouble, commencing a series of depredations on the whole stock of the district, and most daring in their attacks on the settlers themselves, spearing, &c.		The district is now more settled again, and two Europeans will be transferred to other districts, replacing them by two native assistants.
Banbury and Vass	- None	- None	1 foot European	- Required to establish a night beat; increasing population.
Albany	- 2 foot Europeans	- An out-station attached to Albany is at Salt River (far distant), to protect settlers against the natives, who are there very troublesome; to replace a mounted constable sent out, these two foot are required.	1 native assistant	- Required as native guide for the mounted man at Salt River.
Arthur River	- 2 mounted Europeans	- To afford protection to travellers, mail, &c., on the principal high road of the colony. No police station except this on the line of 252 miles.		
Australind	- 1 foot European	- A depot at this place, and the police station six miles distant.	None	- None.
Giugin	- 1 foot European	- The magistrate at this place requires a constable; the nearest police station is at Guildford, 50 miles distant.	None	- None.

F. A. CONROY,
Commissioner of Police.

WESTERN
AUSTRALIA.

No. 2.

WESTERN
AUSTRALIA.

No. 2.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 5.)

Government House, Perth, January 8, 1855.

(Received April 7, 1855.)

SIR,

(Answered, No. 23, May 30, 1855, page 156.)

IN the concluding paragraph of the Duke of Newcastle's Despatch No. 95, of 26th August 1853, having been intrusted with a discretionary power to continue certain increased rates of pay to warders in the convict establishment for a period of six months longer after the expiration of twelve months from the date of the receipt of the Despatch above mentioned, which was on the 15th November 1853, I have now the honor to report that I have extended the period to eighteen months, inasmuch as prices have rather risen above than fallen below the highest rate to which they reached during the year 1852, as in the case of flour, which in the year 1852 averaged from 25*l.* to 30*l.* a ton, now cannot be had at less than 40*l.*; and although this colony, I am happy to state, has produced a very much larger quantity of wheat this last harvest than it has ever grown before, from extended cultivation coupled with a most favourable season, I much fear, in consequence of the failure of the crops in the neighbouring colonies, that flour is certain to advance on the above quoted price, and therefore have to request that I may be permitted to authorize an extension of these rates of pay for six months on the same condition as they were originally granted.

I have, &c.

(Signed)

CHARLES FITZGERALD.

The Right Hon. Sir George Grey, Bart.

&c. &c. &c.

No. 3.

No. 3.

COPY of a DESPATCH from GOVERNOR FITZGERALD to the
Right Hon. Sir GEORGE GREY, Bart.

(No. 20.)

Government House, Perth, January 19, 1855.

(Received April 7, 1855.)

SIR,

I HAVE the honour to transmit the half yearly report of the Comptroller General of Convicts, with the usual returns, numbered from 1 to 17, explanatory of the general progress and present state of the penal establishment in this colony to the 30th of June 1854.

See Schedule at
page 109.

2. This report with its returns are so full and satisfactory on all points of interest connected with the subject under consideration, that it will be unnecessary on my part to do more than briefly draw your attention to those points most worthy of notice; and here I think it opportune to remark upon the unavoidable repetition and monotony of these papers, from their frequency and having to deal with the same unchanging subject every half-year, during which period in some instances no convict vessel may have arrived, or as in the period now under consideration not more than one I would therefore, with great respect, suggest that these reports be transmitted at the close of each year, and not oftener, an arrangement I conceive that can be productive of no inconvenience, as of course were any circumstance of moment to occur during that period, it would be the duty of the Governor for the time being to bring the whole subject under the immediate notice of the Secretary of State.

3. My administration of this Government being about to close, and the convict settlement having been originally established in, and in existence four years of, that administration, the Comptroller General appears to have thought it an opportune time to submit a Return (No. 17) of the number, extent, and amount of public works erected and executed since the introduction of convicts into Western Australia. I can with some confidence solicit your attention to this return, from which you will gather the task I had assigned to the Comptroller General and the other officers of the Royal Engineers has been one of considerable responsibility, not a little onerous, and surrounded with difficulty.

looking at the instruments they had to deal with, and the want of the usual appliances to carry out these labours, in many instances in the most remote parts of the colony.

4. I am happy in being able to report that the zeal and judgment of the Comptroller General and his subalterns have met these difficulties as men of resource usually do; and my only surprise is, looking at the success which has attended the ticket-of-leave system up to the present time, in the large number of these men so unexpectedly absorbed by so small a community into private service, how much has been effected by the small number remaining on public works: commencing with the principal establishment at Fremantle, which will be ready for occupation in June next; the near completion of most of the rural depôts; the miles of roads opened and cleared; and what is of the very greatest consequence to the future of this colony, the number of rivers bridged, the previous absence until very lately of which work so much locked up the country from occupation.

5. The subject of rural depôts is one, I conceive, of such importance to the good or bad working of the convict system here, that I shall take leave to address you in a separate Despatch on this subject, merely confining myself in this to stating that these depôts were all established by the directions of Earl Grey, in his several Despatches while Secretary of State, which, as his intimate knowledge of the peculiar wants of this colony led him to anticipate, has been attended with the most signal success. For notwithstanding their first establishment will have involved some considerable outlay to Her Majesty's Government, which now that they are nearly completed will be shortly brought to a close, I must again, as in my former half-yearly reports, take leave to state, they have on the whole, up to the present moment, been productive of economy to Her Majesty's Government from the number of ticket-of-leave men taken into private service, more than otherwise would have been had no such depôts existed, and the men been concentrated in, and in the vicinity of Fremantle.

6. In all probability statements of a different tendency may have been submitted to the Lords of the Treasury by those who regard the question solely as one of pounds, shillings, and pence; and I hope I am one of the last to recommend unnecessary outlay, but at the same time I conceive the question of economy as regards a convict system ought always to be considered in connexion with the important ones of discipline and moral reformation.

7. If this be a correct view of the case, I can have little hesitation in thinking that the dispersion of these parties into the different districts in connexion with their depôts, which they have been led to look to as their home in sickness and in trouble, has been productive of the best moral effects on the convicts, with very few exceptions, and of incalculable benefit to the settler, as enabling them to more readily develop the resources of the colony, which Her Majesty's Government must ultimately benefit by, in the reduction of the cost of the necessaries of life requisite for the support of the convict establishment and the various depôts, the dispersion of these men not only lessening the rate of labour, but also improving the roads, and thus rendering the cost of cartage of provisions, &c. much less than it otherwise would be.

8. Both the Protestant and Roman Catholic Chaplains' reports speak highly of the progress of the schools within the principal prison; and aware as I am of the zealous manner in which these gentlemen devote themselves to their spiritual and secular duties, I place the most implicit faith in their statements.

9. The subject of increasing the Protestant prison library is forcibly brought under notice by Mr. Brown, the Chaplain, as also is the necessity of establishing a somewhat similar one for the Roman Catholic prisoners by the Roman Catholic Chaplain; and if large numbers of men of that persuasion be sent to the colony, the erection of a plain simple building for a Roman Catholic prison chapel is anxiously solicited by the Roman Catholic Bishop: the cost, with prison labour, would be but small; and looking at the importance I am aware clergymen of that persuasion attach to the possession of a building exclusively devoted to the purposes of divine worship, if any more ships are sent with prisoners from Ireland, I am disposed to support the views of the Comptroller General in recommending its erection: feeling assured, from my experience of the past, the doing so will tend much to allay any sectarian bitterness or other ill feeling on the part of the Irish Roman Catholic prisoners.

10. In the medical report of Dr. Rennie, Surgeon to the convict establishment, it appears that much sickness has prevailed in the prison during the half year under consideration, which he considers has arisen in a great degree from repletion. The Comptroller General has, however, called upon the Principal Medical Officer, Dr. Galbraith, for his views on this subject, which it would appear are at variance with those of his subordinates. This is a subject upon which I fear it will be difficult to come to a positive conclusion. That much sickness has prevailed, as described by Dr. Rennie, is true; but I concur with the Comptroller General, that had the Deputy Commissary General been able to supply a larger issue of vegetables, much of the evil would have been prevented: this is now being done, from the increased garden cultivation, and the establishment is again with only its ordinary number of sick.

11. On the other hand, when the prisoners are removed into the new prison, where greater separation and coercion are attainable, the scale of rations might be again considered with a view to its further reduction by 2 oz. of meat and 4 oz. of bread, without impairing the physical capability of the prisoners. The hard labour, or re-convicted party now having a much less ration, ought, I am of opinion, to be assimilated to that of the other prisoners generally, with the exception of tobacco.

12. The report of the Superintendent as to the interior organization and discipline observed in the prison appears to be unexceptional, and readily complied with by all parties. The punishments, however, appear unusually large during the half year, arising, I regret to find, from something bordering on an emeute among the Irish prisoners, excited by the sectarian counsel of a former Roman Catholic Chaplain.

13. This being in all probability the last report it will be my duty to transmit, I think it due to the Comptroller General, and the Deputy Commissary General, to avail myself of the opportunity to express the strong sense I entertain of the great support and assistance I have experienced on all occasions from both these officers, not only from the soundness of their practical measures, but also from their judicious counsel, especially so in the first formation of a penal establishment in a colony (however important the experiment) where previous to the arrival of the first convict vessel no instructions whatever had reached to make the necessary arrangements for the safe custody and control of the prisoners.

14. Nor can I on this occasion deny myself the gratification of tendering the expression of my deepest gratitude to Earl Grey, not only for his selection of the officers above named to assist me in this important undertaking, but also for the comprehensive and detailed instructions submitted for my guidance from time to time by his able pen, rendering my task with such comparatively easy and light.

15. In conclusion, I have now the gratification to assure you that the penal system in this colony is now fully established, in all its ramifications, on a solid and fixed basis, and all the previous difficulties retarding its progress are now no longer in being. And although there are some 3,000 convicts scattered throughout its length and breadth, in delivering up the government to my successor, it will not be a little gratifying to be enabled to assure him that I give over a colony where, though a penal one, life and property is as secure as in any other portion of Her Majesty's dominions.

I have, &c.,

(Signed) CHARLES FITZGERALD.

The Right Hon. Sir George Grey,
&c. &c. &c.

Enclosure 1 in No. 3.

WESTERN
AUSTRALIA.Comptroller General's Office, Fremantle,
November 15, 1854.

Encl. 1 in No. 3.

SIR,

I HAVE the honour to forward to your Excellency the usual half-yearly report of the Convict Department under my control for the six months ending 30th June 1854, together with the reports and returns, numbered from 1 to 17, enumerated in the annexed schedule.

See Schedule at
page 109.

Four years have now elapsed since the formation of the Convict Department in this colony.

The total number of convicts received up to that date was 2,930, and their general distribution as appears by Nos. 2 and 3, is as follows:—

Distribution of
convicts and
ticket-of-leave
men.

Probation prisoners	-	-	-	-	442
Reconvicted ticket-of-leave men	-	-	-	-	111
Total prisoners					553
Ticket-of-leave holders:—					
On public works	-	-	-	-	622
In private service	-	-	-	-	891
In hospital	-	-	-	-	10
Total ticket-of-leave men					1,523
Total in charge of Convict Department					2,076
Free by servitude	-	-	-	-	6
Free by pardon	-	-	-	-	5
Conditionally pardoned	-	-	-	-	723
Escaped	-	-	-	-	4
Missing	-	-	-	-	3
Deaths	-	-	-	-	113
Total					854
Total sent to the colony					2,930

During the six months to which my report refers, one convict ship arrived with 30 convicts, all of whom, with the exception of one, received tickets-of-leave on landing, 2 have died since landing, leaving 302 now in the colony.

No. 1.
Arrival of con-
vict ships during
the half year.

Return No. 4 is an abstract of the offences and convictions of all persons brought before the police during the six months ending 30th June 1854, distinguishing the free from the ticket-of-leave men.

It appears that 519 free persons were convicted of crime during the period embraced by the return, and 411 ticket-of-leave holders.

Abstract of of-
fences and con-
victions.

The cases of drunkenness swell this return as usual, 173 convictions being recorded against free men, and 141 against ticket-of-leave holders; the non-particularized offences, being of a minor character, form also a large proportion, being 147 to the free and 137 to the bond.

These two form more than one half the recorded convictions, and reduce the amount of serious offence very considerably.

The cases of murder recorded were all connected with the murder of Aborigines, and it is hoped that the full severity of the law, exercised by your Excellency in all cases where these people are concerned, will give their lives more value in the sight of those who come in contact with them, especially in the more remote districts of the colony.

I am fully aware that it is difficult from any statistical returns to form an accurate estimate of the state of morals of any community, but constituted as this colony is, where few crimes are unheard of, and very few undetected, the police returns form a very fair criterion of actual crime, and these exhibit no undue proportion of offence, while from personal knowledge, I believe your Excellency will concur with me in feeling sure that life and property continue to be as safe and as respected as elsewhere.

The average rate of wages obtained by ticket-of-leave men, as shown in return No. 5, continues to appear high from the high rate of wages obtained by mechanics.

I have endeavoured to prepare a return showing the average rate obtained by different classes, but it involved so much complication as to be nearly useless and impracticable.

Rate of wages.

As nearly as can be ascertained, labouring men's wages vary from 12*l.* to 24*l.* per annum for good farming men, while mechanics and men on job work realize from 4*s.* to 8*s.* per diem.

Sixteen ticket-of-leave holders have received your Excellency's permission to marry, and nine have died during the half year.

Nos. 6, 7.
Marriages.
Deaths.

The report of the superintendent, as per return No. 9, is full and satisfactory on all points connected with the interior economy and discipline of the Convict Establishment. Fremantle.

With returns from
1, 8.
Superintendent's
report.

WESTERN
AUSTRALIA.

The efficiency of the prison discipline maintained by this officer, and the order, and cleanliness, and regularity, rigorously but mildly carried out, have received my constant testimony, and the superintendent continues fully to merit the confidence placed in him by your Excellency and myself.

I concur with the superintendent in regretting that the diminution in the number of prisoners has involved the necessity of the discontinuance of the intermediate stage of probationary discipline between the prison and a ticket of leave, which, while in operation, worked so well, and I would venture again to express the hope that all convicts sent to the colony may be required to undergo a probation, however short, previous to receiving tickets of leave.

The system of classification proposed and fully detailed in my letter, dated July 11 1853, to the Colonial Secretary, and approved by his Grace the Secretary of State in his Despatch to your Excellency, dated February 24, 1854, No. 18, has been most carefully worked out and has fully answered my expectations.

No case of absconding has occurred during the half year.

The punishment return is heavy, particularly that of corporal punishment, consequent on a disturbance among the Irish Roman Catholics, excited by an injudicious address delivered by the Roman Catholic chaplain who was removed from his office under your Excellency's authority; since that emeute no further trouble has been experienced.

Scale of diet.

The question of the prisoners dietary has been again fully discussed by a board appointed by your Excellency, and the recommendation of that board having been approved of by the Secretary of State, the scale which I have appended to this Report has proved to be a fair and sufficient ration for men fully employed during the day, and is now in force.

It will be seen that this scale is somewhat less than that in force elsewhere, but it is I believe sufficient for this climate.

The surgeon in his report has entered into a lengthy disquisition to prove that the prevalent diseases during the six months are attributable to the dietary, which, in his opinion, comprises too much bread and rice and too little vegetables.

The report being purely professional, I referred it to the principal medical officer, whose letter thereon is given in Return No. 12.

The opinion of the principal medical officer coincides with the board's report, and I do not consider any further change advisable, especially as the supply of vegetables is becoming daily more certain, and the lack of these will not in future I hope be so seriously felt as hitherto.

Chaplain's report.

The report of the chaplain of the convict establishment bears evidence of the zeal and common sense which have characterized his ministerial labours among the convicts.

The great improvement in the schools is mainly owing to his exertions, and the general orderly and respectful demeanor of the prisoners has been much influenced by his ministration and counsel.

The question of the disproportion of the sexes, referred to by the chaplain, has been fully brought under your Excellency's notice in reference to the proposed introduction of female convicts, and it is one of serious importance.

The total number of marriages sanctioned by your Excellency up to the present time is 73, in addition to which the wives and families of 22 convicts have arrived in the colony, making a total of 95 provided with wives out of the whole number of convicts. The evils which have arisen elsewhere from the disproportion of the sexes render obvious the advantages which would arise if men had more easy opportunity of getting married than they have at present, the consequences may be serious.

Roman Catholic
chaplain's report.

In the report of the Roman Catholic chaplain your Excellency will find an appeal for the construction of a chapel for the Roman Catholic prisoners.

Of course there are no means at present of erecting any such building, but hereafter should many Roman Catholic prisoners continue to be sent to the colony, a small and inexpensive place of worship might be provided within the prison walls.

There is also an application for a Roman Catholic schoolmaster and a free clerk for the Roman Catholic chaplain, and a larger Roman Catholic library.

The two former have been separately submitted to your Excellency, and fully discussed by the Finance Board, but it did not appear there were sufficient grounds to justify the expense; the latter has already been applied for.

The chaplain strongly insists on the necessity of the warders in the charge of the prisoners kneeling during divine service, which has been objected to by the superintendent on the score of discipline, it being impossible in that posture to maintain proper supervision. I have suggested they should kneel on elevated stools, which I hope will meet the difficulty.

I am happy to learn from the Roman Catholic chaplain a favourable report of the progress of the prisoners in the schools, and their general attention to their religious duties.

The suggestion referred to by the superintendent, that the classification system in force in the establishment should be extended to ticket-of-leave holders, has received my best consideration; viz., that a man should by good conduct and industry, as evinced by absence of reports by the police or dépôt officers, and by prompt payment of passage money, be enabled to shorten the period of his servitude on ticket of leave, and if such a system could be effectually carried out it would doubtless have much effect on this class of convicts.

The great difficulty in carrying out faithfully and impartially any such system with a body of men scattered over this wide territory, with but slender means of obtaining that exact information of their habits which such a system if fairly worked would require, is very obvious.

Under the present system an inducement to the prompt payment of passage money is held out in the reduction of the amount to be paid, and to good behaviour by suspending the issue of the conditional pardon for every offence involving imprisonment, the period fixed by the regulations being the period considered the minimum to be served on ticket of leave with good conduct; further than this, I do not consider a change advisable until more experience has been gained.

An uniform system of discipline and general arrangement has now been established throughout the colony, and I have appended, Return No. 13, the amended instructions approved of by your Excellency, for the guidance of the officers and the management of the men.

I have to report that the dépôts and road parties generally are in a satisfactory state, the stations clean and orderly, and the men as a body well conducted and industrious.

The payment of passage money by ticket-of-leave holders has been duly required, and the system, which is a most wholesome one, continues to work well.

The total amount received during the half year was 1,800*l.* 11*s.* 6½*d.* (one thousand eight hundred pounds, eleven shillings, and sixpence halfpenny), of which 1,173*l.* 8½*d.* (one thousand one hundred and seventy-three pounds and eightpence halfpenny) was received in cash.

The regulations approved of by your Excellency for the employment of the men on the public works, are given Return No. 14.

They have been most carefully drawn up from actual experience, and reduce this most difficult branch of the convict system to order and regularity.

Under these regulations the amount of cash paid to the men has been reduced to a minimum, and as they are obliged to provide themselves with clothing, soap, tobacco, and all necessaries, the nominal sum paid to them in wages is in fact only a compensation for clothing, at a less cost than it would be to the Government to supply them if prisoners.

I am happy to be able to report favourably to your Excellency of the general progress of the public works executed by prison labour at Fremantle, and by ticket-of-leave men at the various stations in the colony.

The reports of Captain Wray, R.E., of the works in progress at Fremantle, and that of Lieutenant Du Cane, R.E., of those in the eastern districts, give full details of all works in these the most important stations.

The works at Fremantle have been confined entirely to the construction of the permanent prison authorized by the Secretary of State, which is progressing rapidly, and will be ready for occupation at the expiring of the lease of the present prison in June 1855.

The whole of the buildings and everything connected with them have been executed by prisoners, under the superintendence of the Royal Sappers and Miners; they are perfectly plain and simple, but commodious and well built.

A jetty in the South Bay is in course of construction by convict labour, the materials being paid for from colonial funds. It will be 455 feet long, and afford great convenience to all branches of the service as well as to the colony.

The works in the eastern districts, under the superintendence of Lieutenant Du Cane, R.E., have comprised the completion of the dépôts at York, Guildford, and Toodyay, the clearing and forming the main roads from Guildford to York, Toodyay, and Bindoou, the continuation of the large bridge over the Swan at Guildford, and clearing and bridging the road from Toodyay to Northam. Also the erection of pensioner's cottages at York and Toodyay.

The station at Albany is complete with the exception of the commissariat store, which is in progress.

The station at Bunbury is also nearly complete, except quarters for the superintendent, which it is not intended at present to build.

I have appended, Return No. 17, a concise statement of the public works executed by the convict department, under your Excellency's administration, during the four years of its existence.

Barracks have been provided for 1,509 prisoners and ticket-of-leave men, including the convict establishment at Fremantle, which has been converted from a ruinous heap of sheds into a convenient and tolerably secure temporary prison for 776 convicts.

WESTERN
AUSTRALIA.

Classification
system.

Disciplinary
arrangements.

Passage money.

Nos. 10, 11.

Earnings on
public works.

No. 15.

No. 16.

In addition to these a considerable portion of the permanent prison at Fremantle has been erected by convict labour.

Commodious commissariat stores and offices have been erected at the principal stations, Fremantle, Guildford, York, Toodyay, and Bunbury; barracks for the pensioners and sappers have been built, police barracks at Fremantle, and gaols at York, Toodyay, and Albany.

The whole of the necessary buildings at the outstations will be shortly complete, with the exception of the important mining district of Champion Bay, where a small and in expensive dépôt is in progress, and on the completion of the Fremantle prison the expenditure on this head will virtually cease.

All the buildings are of the plainest and most simple character, and no ornamentation, of any kind has been adopted, and the expense has been economized as much as possible by burning bricks, cutting timber, quarrying stone, &c. by ticket-of-leave labour.

The establishment of dépôts in the various districts, was a matter of absolute necessity, not for the purpose of giving the settlers a supply of labour within a convenient distance, but as places to which prisoners discharged either from prison or from convict ships could be sent for employment on public works, and to which men discharged from private service could be at once returned by the police.

In fact without these dépôts the convict system could not have been worked, and the expense of their construction having been carefully limited, has been virtually more than covered by the increased number of men which have been taken off the hands of Government.

The construction of so many buildings by the limited number of ticket-of-leave men left on the hands of Government has of course monopolized much of the labour at your Excellency's disposal; nevertheless considerable progress has been made with the various roads and bridges so urgently required throughout the colony.

272½.

By the return referred to, it appears that two hundred and seventy-two miles and a quarter of roadway have been cleared, fifty miles of which are 30 feet wide and the remainder 18 feet wide.

Twenty-seven miles and a quarter of roadway have been graded and levelled; and five miles macadamized, and fifty miles partially repaired.

Twenty-eight bridges have been built, one of which, over the Swan at Guildford, is 480 feet long and 30 feet high; and several others of considerable size, besides several on the mail road from Perth to Albany.

A substantial jetty, 216 feet long, has been built at Fremantle as a landing from the river, and a similar one 455 feet long, as a landing from the harbour, is in progress.

The lakes at the back of the townsite of Perth have been drained, and the unwholesome swamps in the town of Fremantle filled up.

Four pensioners' villages have been established. Thirty-six comfortable cottages have been built of two rooms each, and a portion of the land cleared for them.

The amount of work performed is the best criterion of the endeavours which have been made to ensure industry among the men; and the general quiet of the community, of the endeavours to render the convicts peaceable and orderly members of the community.

During the four years of the existence of the convict establishment in the colony not a single prisoner has effected his escape, and with the exception of three colonial prisoners, who were absent for three weeks, no convict has been illegally at large for more than a day or two; and only 4 ticket-of-leave men have absconded from the colony.

I believe the general state of the convict department, the order and discipline of the convict establishment, the state of the dépôts and road parties, all of which are now under an uniform system of discipline and regulation, and the general orderly behaviour of the convict population, are satisfactory to your Excellency.

The whole of the complicated convict system, including the employment of men on public works, the collection of passage money, the distribution of private cash and reserved earnings, the expenditure on public works, and the order and disciplinary arrangements of the convict prisons and dépôts, is now reduced to working order, and while with a system perfectly new many difficulties have been experienced from want of precedent, want of experience, and want of officers, the success of the convict system must be mainly attributed to the unfailing interest shown by your Excellency in the minutest details of a complicated system, and to the unswerving support which the officers of the convict department in the discharge of their onerous and important duties have received at your Excellency's hands.

(Signed) I have, &c.
E. Y. W. HENDERSON,
Comptroller General.

SCALE OF RATIONS, referred to at page

Classes.	Bread.	Meat.	Potatoes.	Tea.	Sugar.	Salt.	Pepper.	Oatmeal or Rice for Soup.	Remarks.
1st Class -	oz. 26	oz. 16	oz. 16	oz. $\frac{1}{2}$	oz. $1\frac{1}{2}$	oz. $\frac{1}{2}$	drms. $\frac{1}{4}$	oz. 1	1st Class Summer Scale: Meat 14oz.
2d do. -	20	12	16	$\frac{1}{2}$	$1\frac{1}{2}$	$\frac{1}{2}$	$\frac{1}{4}$	1	2d do. do. 10oz.
3d do. -	20	10	16	$\frac{1}{2}$	$1\frac{1}{2}$	$\frac{1}{2}$	$\frac{1}{4}$	1	3d do. do. 8oz.
4th do. -	16	—	—	—	—	—	—	—	4th do. do. Punishment diet.

SCHEDULES of RETURNS accompanying the foregoing Report from the Comptroller General.

	Page
1.—Number of convicts that have arrived during the half year ending 30th June 1854	- 109
2.—Number of convicts and ticket-of-leave holders in Western Australia -	- 110
3.—Distribution of 2,930 prisoners and ticket-of-leave holders -	- 110
4.—Abstract of offences and convictions -	- 111
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6.—Ticket-of-leave holders who have obtained permission to marry -	- 112
7.—Return of deaths of ticket-of-leave holders -	- 113
8.—Applications for the wives and families of ticket-of-leave holders -	- 113
9.—Report of the superintendent of the convict establishment with returns from No. 1—8, with extract from the visiting justice's book, together with the reports of the chaplain, Roman Catholic chaplain, and surgeon -	- 113
10.—Return of earnings on public works of ticket-of leave men, and amounts placed to passage.*	-
11.—Return of payments on account of passage by ticket-of-leave men.*	-
12.—Observations of the principal medical officer on the surgeon's half-yearly report -	135
13.—Regulations for the guidance of the officers and management of the men at ticket-of- leave depôts -	136
14.—Regulations for the employment of the men on the public works -	142
15.—Report of Captain Wray, R.E., on the works in progress in the district of Fremantle -	143
16.—Report of Lieut. Du Cane, R.E., on the works in progress in the eastern districts -	145
17.—Statement of the public works executed by the convict department during the four years of its existence -	151
(Signed) E. Y. W. HENDERSON, Comptroller General.	

No. 1.

RETURN of the Number of Convicts who have arrived in the Colony between the
1st January and 30th June 1854.

Ship.	Date of Arrival.	From whence.	Number by Assignment List.	Deaths on Passage.	Number landed.		Deaths since landing.	Number now in the Colony.	Remarks.
					Ticket- of-Leave Men.	Prisoners.			
Sea Park "	1854. 5 April	England -	304	Nil.	303	1	2	302	

(Signed) W. H. S. BROWN,
Registrar.
E. Y. W. HENDERSON,
Comptroller General.

Fremantle, Western Australia,
30th June 1854.

* These voluminous Returns are not printed

WESTERN
AUSTRALIA.

No. 2.

RETURN of the Number of Convicts and Ticket-of-Leave Holders in Western Australia on the 30th day of June 1854.

English convicts on public works	-	-	-	-	435
Colonial ditto ditto	-	-	-	-	7
Probationery ticket-of-leave holders	-	-	-	-	4
Ticket-of-leave holders under magisterial sentence	-	-	-	-	111
Ditto in hospital convict establishment	-	-	-	-	10
Ditto on public works	-	-	-	-	618
Ditto in private service	-	-	-	-	891

Total in the colony on the 30th of June 1854 - 2,076

(Signed) W. H. S. BROWN,
Registrar.E. Y. W. HENDERSON,
Comptroller General.Fremantle, Western Australia,
30th June 1854.

No. 3.

RETURN showing the General Distribution of 2,930 Prisoners and Ticket-of-Leave Holders, for the Half Year ending 30th June 1854.

PRISONERS.			TICKET-OF-LEAVE HOLDERS.																	DISPOSED OF.									
English.	Colonial.	Total.	Probationary Ticket-of-Leave.	Re-convicted.	Private Service.	Sick in Hospital.	Road Parties.	Survey Parties.	Local Gaols.	Depôts.										Total.	Free by Servitude.	Conditional Pardons.	Free Pardons.	Escaped.	Missing.	Deaths on Probation.	Deaths of Ticket-of-Leave.	Deaths on Passage.	Total.
435	7	442	4	111	891	10	39	6	-	70	21	6	120	89	102	118	17	30	1,634	6	723	5	4	3	38	51	24	854	

RECAPITULATION.

Prisoners	-	-	-	-	-	442
Ticket-of-leave holders	-	-	-	-	-	1,634
Disposed of	-	-	-	-	-	854
Total	-	-	-	-	-	2,930

(Signed) W. H. S. BROWN,
Registrar.E. Y. W. HENDERSON,
Comptroller General.Fremantle, Western Australia,
30th June 1854.

OF CONVICT DISCIPLINE AND TRANSPORTATION. 111

No. 4.

WESTERN
AUSTRALIA.

An ABSTRACT of Offences and Convictions in the Colony of Free and Ticket-of-Leave Men, comparatively, for the Half Year ending 30th June 1854.

Nature of Offence.	District.	Number of Persons brought before the Police.							
		Free.				Ticket-of Leave.			
		Con- victed.	Not con- victed.	Con- victed.	Not con- victed.	Con- victed.	Not con- victed.	Not con- victed.	Con- victed.
Absconding -	Fremantle -	2	1			—	—		
" -	Perth -	1	—			7	—		
" -	Toodyay -	2	—			1	—		
" -	York -	—	—			7	1		
" -	Wellington -	—	—			1	—		
" -	Albany -	—	—			1	—		
" -	Swan -	—	—			2	—		
Arson -	York -	1	1	5	1	—	—	19	1
Assault (common) -	Fremantle -	10	1	1	—	3	—	—	—
" -	Perth -	11	1			7	—		
" -	Toodyay -	2	2			—	—		
" -	York -	1	1			3	—		
" -	Wellington -	2	2			1	2		
" -	Albany -	8	—			—	—		
" -	Swan -	3	7			6	—		
Burglary -	Perth -	—	3	37	12	5	3	20	2
" -	Toodyay -	—	—			—	1		
Drunkenness -	Fremantle -	31	—		3	39	1		
" -	Perth -	25	1			28	2		
" -	Toodyay -	11	—			21	2		
" -	York -	—	—			14	—		
" -	Wellington -	10	1			19	—		
" -	Albany -	30	—			3	—		
" -	Swan -	16	2			17	1		
Felony -	Toodyay -	7	1	173	4	2	—	141	6
Larceny -	Perth -	4	1	7	1	5	2	2	—
" -	Wellington -	1	—			1	1		
" -	Albany -	2	—			—	—		
" -	Toodyay -	5	1			1	—		
Misdemeanor -	Perth -	28	9	12	2	28	6	7	3
" -	Toodyay -	2	—			1	—		
" -	Wellington -	2	—			—	—		
" -	York -	3	1			9	7		
" -	Albany -	45	—			—	—		
Murder -	Toodyay -	1	—	80	10	1	—	38	13
" -	Swan -	4	2			—	—		
Robbery -	Fremantle -	13	5	5	2	4	—	1	—
" -	Perth -	—	8			8	4		
" -	Toodyay -	1	—			3	—		
" -	Swan -	17	6			8	3		
" -	Wellington -	1	—			6	—		
" -	York -	5	—			6	3		
Sheep stealing -	Toodyay -	—	—	37	19	1	—	35	10
" -	York -	1	—			3	—		
" -	Albany -	7	13			—	—		
Stabbing with intent -	Toodyay -	1	—	8	13	—	—	4	—
Stealing in a dwelling	Perth -	—	1	1	—	2	—	—	—
" -	Wellington -	1	—			—	—		
" -	York -	2	3			—	—		
" -	Albany -	2	1			—	—		
Vagrancy -	Swan -	1	4	5	4	—	—	2	—
Not particularized -	Fremantle -	113	22	1	4	82	18	—	—
" -	Perth -	3	5			31	11		
" -	Toodyay -	5	6			9	3		
" -	Swan -	20	13			7	11		
" -	Wellington -	5	2			6	—		
" -	Murray -	—	1			—	—		
" -	Champion Bay -	1	—			2	—		
				147	49			137	43
	Total -			519	124			411	82

(Signed)

W. H. S. BROWN, Registrar.
E. Y. W. HENDERSON, Compt. Gen.

Fremantle, Western Australia,
30th June 1854.

No. 5.

RETURN of the Number of Ticket-of-Leave Holders who have entered Private Service, showing the Average Rate of Wages obtained in each District, during the Half Year ending 30th June 1854.

District.	Number of Ticket-of-Leave Holders who have entered Private Service.	Average Rate of Wages per Annum.	Number whose Rate of Wages has not been notified, including those working for themselves.
		£ s. d.	
Fremantle - - -	27	69 7 0	47
Perth - - -	156	34 6 5	44
Toodyay - - -	47	29 18 0	84
York - - -	67	20 0 0	72
Champion Bay - - -	46	38 6 9	2
Canning - - -	6	16 10 0	1
Vasse - - -	20	19 3 0	Nil.
Bunbury - - -	19	22 18 0	106
Albany - - -	30	37 19 2	16
Swan - - -	31	28 11 0	62
Murray - - -	-	-	8

(Signed) W. H. S. BROWN, Registrar.
Registrar's Office, Fremantle, E. Y. W. HENDERSON, Comptroller General.
30th June 1854.

No. 6.

RETURN showing the Number of Ticket-of-Leave Holders who have obtained Permission to Marry during the Half Year ending 30th June 1854.

Reg. No.	Name.	Ship.
164	Charles Marshall - - -	"Hashemy."
233	James Fox - - -	"Mermaid."
282	George Steel - - -	Do.
302	John Pearce - - -	Do.
447	Thomas Pledge - - -	"Pyrenees No. 1."
448	John Jarret - - -	Do.
453	John Richards - - -	Do.
515	John Fletcher - - -	Do.
547	John Williams - - -	Do.
745	Henry Dover - - -	"Minden."
848	David Elder - - -	Do.
1,094	Thomas Church - - -	"Marion."
1,183	John Evans - - -	Do.
1,225	George Hassell - - -	Do.
1,686	William Hoddy - - -	"Dudbrook."
1,873	John Barlow - - -	"Pyrenees No. 2."

(Signed) W. H. S. BROWN, Registrar.
Fremantle, Western Australia, E. Y. W. HENDERSON, Comptroller General.
30th June 1854.

No. 7.

WESTERN
AUSTRALIA.

RETURN of the Number, Cause, and Date of Death of Ticket-of-Leave Holders in the Colony during the Half Year ending 30th June 1854.

Reg. No.	Name.	Ship.	Nature of Disease.	Date of Death.	Remarks.
1,278	Luke Peskett -	"William Jardine"	Debility - -	January 1854.	
1,934	John Brown -	"Pyrenees No 2."	Do. - -	26 March "	
2,923	Theodore Johnson	"Sea Park" -	Pneumonia, accom- panied by fever of a typhoid nature.	8 April ,	
1,876	Job Colbourne -	"Pyrenees No 2."	Scurvy - -	23 " "	
915	Henry Priest -	"Minden" -	Consumption - -	13 " "	
2,378	Denis Donohoe -	"Phœbe Dunbar"	Debility - -	20 May "	
2,901	Matthew Watts -	"Sea Park" -	Chronic Dysentery -	7 June "	
1,579	George Holland -	"Dudbrook" -	Chronic disease of the chest.	16 "	
1,629	Samuel Roberts -	Do. - -	Dysentery - -	17 " "	

(Signed)

W. H. S. BROWN, Registrar.

Fremantle, Western Australia,
30th June 1854.

E. Y. W. HENDERSON, Comptroller General.

No. 8.

RETURN of Applications for the Wives and Families of Ticket-of-Leave Holders and Prisoners for the Half Year ending 30th June 1854.

Nil.

(Signed)

W. H. S. BROWN, Registrar.

Fremantle, Western Australia,
1st July 1854.

E. Y. W. HENDERSON, Comptroller General.

No. 9.

SUPERINTENDENT'S REPORT.

Superintendent's Office, Fremantle,
July 10, 1854.

SIR,

1. I HAVE the honour to forward you a schedule of returns, in illustration of this my half-yearly report, of the transactions and progress of the convict establishment in Western Australia during the half year ending June 30, 1854.

2. The conduct of subordinate officers has been, upon the whole, of a satisfactory character, although an accretion of English trained warders is highly to be desired.

Conduct of
officers.

3. The number of prisoners undergoing the secondary stage of probationary discipline upon this establishment was, at the commencement of the lapsed half year, 934. By the "General Godwyn," from Calcutta, March 28, 1854, we received 15 Indian prisoners, mostly military convicts. By the "Sea Park," from London, April 5, 1854, there was one English prisoner for further probation.

Number and dis-
posal of prisoners

Of colonial convicts under sentence of transportation there were three prisoners. (Vide return No. 2.)* Of ticket-of-leave holders, under magisterial re-conviction for disciplinary and police offences, there were returned 84 men.

Return No. 2.*
Colonial transport

There were likewise admitted into hospital, under medical recommendation, 55 ticket-of-leave holders, invalids. On the 30th ultimo there were 10 still remaining under treatment.

There were discharged on tickets-of-leave, during the season under review, 514 men; by death 14 men.

There are now remaining 435 probation prisoners, 111 re-convicted prisoners, 7 colonial prisoners, and 10 ticket-of-leave holders under medical treatment in hospital; making an aggregate of 563 prisoners.

The summary of prisoners actually upon, and admitted, during the half year, was as 1,091 men. Return No. 1* is a statement of the distribution of prisoners upon the establishment on the 30th June, 1854. Return No. 5* supplies further information upon this head.

Return No. 1.*
Return No. 5.*

* These voluminous Returns have not been printed.

WESTERN
AUSTRALIA.

Sentences, and
now carried out.

Treatment of
prisoners.

Appendix A.*

Diet.

Species of labour.
Returns Nos. 3, *4.*

Return No. 5.*
Return No. 3.*

State and condition
of buildings.

Return No. 7.*
Return No. 8.*

Escapes.
General state of
the prisoners as
to morals, &c.
Offences and
punishments.
Return No. 5.*

Return No. 6.*

4. The sentences under which the prisoners who have been transported to this colony were carried out in strict consonance with the instructions of Her Majesty's Government.

5. Having so fully and minutely entered into details upon this subject in my reports of July 1853 and January 1854, I feel it is unnecessary to make any further explication in this place.

6. The treatment pursued towards prisoners has been also in due conformity with the tenor of our instructions. A firm but mild system of discipline, having a special direction to the reformation, if practicable, of those subjected to its influence, is impartially enforced; order, cleanliness, regularity, and subordination, are rigorously exacted. I beg to append extracts from the minute book of the Visiting Justices, treating upon this department of my report.

7. Referring to dietary, I have the honour to observe, that a board composed of the Honourable the Colonial Secretary, the principal medical officer, and the staff officer of pensioners, who is a Visiting Magistrate of this service, sat to inquire into and determine a fixed scale of rations for the several classes of prisoner. I am happy to bear testimony to their close, patient, and ably inquiry into every bearing of this complicated subject. Their recommendations have been acted upon since that period; and while I cordially subscribe to the liberality of the scale adopted, I would give it as my opinion, that that economy which the Legislature requires has been scrupulously considered. The scale is ample, but not excessive; and I decidedly think anything short of it would preclude us from exacting the required task, considering the circumstance of the distressing nature of this, a tropical climate, during greater part of the year.

8. The species of labour upon which the prisoners are employed is set forth in detail upon Return No. 3.* The number of hours regulated as constituting a day's work is established at 9, throughout the year, and this experience proves, in this climate, to be the maximum.

9. The daily average of men for labour was $81\frac{1}{2}$ *, of sick 58. Value of work performed, at the colonial market price of labour, or something below it, was 16,984*l.* 18*s.* 11*d.* sterling. The minute and copious details given in the return referred to will obviate the necessity for further remark.

10. The state and condition of the temporary buildings forming the chief establishment at Fremantle may be pronounced satisfactory, that is to say, considering their *temporary* character, and that they are only occupied pending the erection of a permanent prison, with proper officers, &c. &c. Return No. 7.* will exhibit the accommodation afforded. Return No. 8,* shows the number of vacancies on the 30th June 1854, which number of vacancies will be rapidly augmented by reason of the large number of prisoners falling due for tickets-of-leave during the months of July, August, and September ensuing.

11. There have been no attempts at escape during the half year.

12. The general state of the prisoners as to morals, &c., has been upon the whole relatively good.

13. The offences committed by prisoners, and the punishments awarded in consequence thereof, are set forth in detail upon Return No. 5,* which also furnishes a variety of statistical facts connected with this branch of my report. Appended thereto is a tabulation of offences, showing the number committed each month by the men from different ships; thus supplying data respecting the relatively good or bad behaviour of certain classes of prisoners. Out of 1,091 prisoners who were upon the establishment during the half year, 216 were reported. The number of offences were 312, distributed, as shown upon the Return. This gives an average of $1\frac{2}{3}$ as the daily number of offences among $81\frac{1}{2}$ prisoners during the period under review. Still this is a far higher per-centage than usually rules in this establishment. Those instances when a man or men have been reported frequently are among the re-convicted party.

There have been no instances of transgressions of a heinous or particularly serious character; but the low order of intellect manifest in the prisoners sent out in the "Robert Small" and "Phoebe Dunbar," August 1853, and their imperfect training, largely increase the numerical proportion of prison crime; so much so, that it was felt necessary to exercise considerable rigor for its repression. Perhaps the most noticeable offence was an attempted "emeute" or riot, which sprang from inflamed religious feelings, under the excitement of an ill-judged address by the then Roman Catholic Chaplain, who was consequently removed. This disturbance was quickly quelled, and some of the ringleaders received severe punishment.

This affair will account for the heavy corporal punishments shown in Return No. 6.* These necessary severities, which nevertheless are much to be deplored, had the salutary effect of procuring a more orderly and subordinate bearing among the "Robert Small"

* These voluminous Returns are not printed.

and "Phoebe Dunbar" prisoners than had previously existed. Now nothing can exceed their generally submissive demeanor; still, a large importation of this class of convicts is to be deprecated.

WESTERN
AUSTRALIA.

14. The discipline in operation at this establishment continues to work satisfactorily, as evidenced in the progressive improvement in the behaviour and orderly conduct of all classes of the men. Their industrial application is also marked by a similar improvement. The statistics of the prison show as previously reported, a smaller per-centage of re-convictions among those prisoners of the Crown who have been inmates of this establishment than among those who arrived in the colony with tickets-of-leave. I would add, as a deduction, that it is my firm conviction a certain relative colonial probation is decidedly desirable in the case of every man prior to his being exposed on tickets-of-leave to the temptations and trials of a novel position, in a foreign climate, where the aspects and condition of society are so widely different to that obtaining at home.

Discipline.

15. To illustrate this more pertinently, and to support it by statistical data, I will state that, to one establishment man returned under re-conviction we have $2\frac{2}{13}\frac{1}{5}$ men who arrived in the colony with tickets-of-leave. Among other effects which may be taken as resulting from a certain preparatory training in this establishment, I would instance that men become indurated to the climate, they learn the duties, novel indeed to them, requisite in their altered sphere of action, they see the futility of reverting to former courses and habitudes of life, and in the larger proportion of cases they endeavour to realize livelihoods by industrial occupations, when in possession of the coveted tickets-of-leave. A knowledge of what awaits wrong-doers in this colony is also gained by daily perception of the consequences, and this is not without, in many instances, its moral and deterrent effects.

16. The employment upon which prisoners of the Crown under probation have been engaged is detailed "in extenso" upon return No. 3. Their application and progress thereat have been generally satisfactory, although there is a great disparity between the ratio of work performed by the "Robert Small" and "Phoebe Dunbar" men and that by their fellows who arrived in other ships, neither is there the same quickness of apprehension or aptitude for instruction in skilled labour which may be observed in the latter.

Employment.
Return No. 3.

17. Taking a general view of every detail of business pertaining to the convict establishment in this colony as respects the progress of occurrences during the half year embraced by this report, I have the honour to inform you the result is highly satisfactory.

General remarks.

18. A thoroughly well organized system is established, and in active operation; every piece of the disciplinary machinery is well watched, and no means are neglected tending to its improvement. And the regularity, steadiness, and precision observable in every department of this branch of the service fully warrants my saying that we may now consider ourselves prepared for any contingency, that is to say, so far as the disciplinary management of prisoners of the Crown is concerned.

19. The experiment essayed at the branches of this establishment, as reported in my half-yearly statement of the 10th January last, was decidedly successful. Prison offences among the men so located became comparatively extinct. I much regret the reduced number of probation prisoners, or rather the non-supply of others to fill their places, conjoined to the requirements of the public service at the new prison, necessitated an abandonment of that modified intermediate stage or system which obtained at these out-stations, inasmuch as that modification, in addition to its success, furnished an answer to the practicability of maintaining a system of prison discipline which should be a mean between the strict seclusion of a public works prison and the comparative liberty of a ticket-of-leave. And I am further of opinion, that some such intermediate stage is of high importance as respects its beneficial operation upon the moral improvement of the men.

20. The constable system works excellently, and the new method of classifying the men, which was inducted in May 1853, and was approved by his Grace the Secretary of State for the Colonies, in his Despatch No. 18, January 24, 1854, continues its salutary influences steadily and effectually. The number of prisoners who have entitled themselves to the benefit held out by this system, are about 152, or $34\frac{4}{5}$ per centum. The number who entailed upon themselves additions to their periods of probation, are about 376, or $65\frac{2}{5}$ per centum. Hence, in addition to its moral influence, the Government is a gainer in an economic sense, apart from the consideration of how much the labour of the men is stimulated by the continual spur which this system provides.

21. While on this subject, I would beg to remark that, considering the success attending this modified classification system has been so decided, I am unquestionably of opinion the extension of this system, in the way set forth in my report of the 29th May 1854, No. $\frac{2}{35}$, to prisoners of the Crown upon tickets-of-leave would be highly judicious. I

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consider it would reduce the per-centage of re-convictions which in an economic point of view, apart from all reference to the more important one, viz. the moral, is much to be desired. Besides, I think it important an uniformity of system, graduated however to the stage in which a prisoner may be placed, should be carried throughout every ramification of the service. Most assuredly the extension of the system to ticket-of-leave holders in the form, or in some such form, as that to which I refer, would foster habits of prudence, watchfulness, and industry, insomuch as upon the exercise of these qualities would depend the relative duration of the period to be passed upon tickets-of-leave. Moreover, the supervision of the personal behaviour of every man would be more *felt*; and the knowledge of this close watch, and that as is his or their conduct so would rewards or punishments follow, thus making him the arbiter of his own condition, could not fail to improve the moral tone of the general body of prisoners who may be thus at large.

22. In treating upon matters relating to tickets-of-leave holders, &c., I beg permission to append the following statistical data.

23. Out of 2,931 convicts in the colony, there have been from the commencement of the establishment, in June 1850, 411 re-convictions; at least four-fifths were merely cases of breach of disciplinary regulations, such as would not be considered cognizable by the police courts of England. This reduces the per-centage of crime in the colony among this branch of the community to an exceedingly less rate. Of re-convictions of prisoners who have received Her Majesty's conditional pardon, there have been only two: I speak of those returned to the establishment. This, considering the non-possession of homes, their isolation from the rest of the community, and the difficulty in obtaining employment, speaks well for their generally good disposition and conduct.

24. I further think I am warranted in saying that, taking into consideration they, the prisoners of the Crown, form the majority of the adult male population of the colony—the highest calculation gives 10,000 as the total population, including of course women and children, out of which population 2,931 are Crown prisoners,—the ratio of crime among them is not greater than among free men.

25. I have foreborne advancing anything relative to the moral instruction and the medical treatment of the prisoners upon the establishment, considering these specialities to belong more particularly to the departments of the chaplains and the surgeon, and the minute details furnished in previous reports from this office relieve me from the necessity of advancing explications in this paper of which you are already fully possessed.

26. I request you will do me the favour to renew to his Excellency my acknowledgements for the attention he has always manifested towards any suggestion for the improvement of the discipline of this service.

27. The same sentiments I beg to tender for your acceptance for numberless acts of consideration and confidence.

28. It is also my pleasing duty to record the patient zeal with which the Visiting Magistrate, Thomas Brown, Esquire, has performed the duties of his office; neither must I forget my obligations to the Board of Visiting Justices for their general interest in and towards the well-working of this important experiment.

29. The Chaplain, the Reverend James Brown, M.A., has been most laborious in the performance of his several arduous duties, and to his able co-operation I may attribute the present improved condition of our schools. The moral influence of his labours has been most marked, and I should be wanting in a spirit of justice were I to permit his exemplary services in the improvement of the general body of the prisoners to pass without particular notice.

I have, &c.

(Signed) THOMAS H. DIXON,
Superintendent.

The Hon. the Comptroller General,
&c. &c. &c.

CHAPLAIN'S REPORT.

Chaplain's Office, Convict Establishment, Western Australia,
Fremantle, July 10, 1854.

SIR,

I HAVE the honour to lay before you my second half-yealy report. The period embraced by it extends from January 1. to June 30, 1854.

Throughout the half year the number of Protestant prisoners has been unusually small. At its commencement there were of probation men 229, of re-convicted 69, the total number 298; at the close of the six months the probation prisoners had fallen to 123, the re-convicted were 93, giving 216 as the total of Protestant prisoners on the 30th June.

The arrival of two ships in the autumn of 1853 with convicts from the Irish prisons, placed the Protestant prisoners in a minority. As the Irish convicts (owing to the longer period of probation already passed by them) obtain their tickets-of-leave more speedily than the Protestants, the inequality is rapidly disappearing; and the next ship (expected in August or September) will give a preponderance to the Protestants.

How far the association of large bodies of convicts brought up in the profession of creeds so distinct as those of the Churches of England and Rome is conducive to the moral welfare of the whole, is a question to which I have no doubt your attention has already been directed. The religious belief of the majority of the prisoners is indeed but nominal; yet observation teaches us that men are more disposed to contend about religion the less their lives are ruled by it. We have sad proofs here that the bare profession of religious belief has no power to control the passions and promote good will; yet that empty profession, when associated with self, has sometimes sufficient hold on the minds of the worst men to be an object of contention and angry dispute. To control a large assemblage of Protestant and Roman Catholic convicts, daily intermingling on the works and in the yards of the prison, does appear to me to resemble in some degree the oversight of a number of combustible materials ever shifting and brushing each other. The outward tranquillity that, with scarce an exception, has hitherto prevailed in the prison is largely due under the Divine blessing to the judicious arrangements of the superintendent in placing men of the same creed as far as possible together, as well as to the conciliatory measures of the Reverend the present Roman Catholic Chaplain.

The Sunday duties of the chaplain have been of a similar nature to those reported to you at the close of the preceding half year. The behaviour of the men during Divine Service has been very decorous, and to the best of my recollection, but one instance of improper behaviour at such a time has had to be noticed. The choir, placed under the instruction of the chaplain's clerk, has increased in efficiency, and I trust that Her Majesty's Government will encourage the efforts of the singers and promote the devotion of the congregation generally by the addition of an organ. I must beg again respectfully to direct your attention to the unsuitable character of the building in which the prisoners assemble to worship the Supreme Being, and to express a hope that the erection of the chapel in the new prison may be an object of the earliest care. The uses to which at all times the present building is necessarily put, and the too familiar objects that in every direction meet the eye of the worshipper, strongly militate against that spirit of reverence and attention with which man is instructed to worship his Maker, and leave us perhaps open to the suspicion on the part of the prisoners that the God whom we profess to adore, and the religion we carefully recommend to their observance, are not deemed in heart worthy of the ordinary tokens of respect. The provision of a separate building reverently set apart for the celebration of Divine worship, would, I humbly submit, not inappropriately form one among the first buildings erected for a model prison, so long at least as the reformatory design of such an institution is based upon religion. The same building that we have to call our "House of prayer," must, among those whose constant residence it forms be supposed to shelter many a prayerless head and perhaps not a few men of blasphemous or unclean lips.

No change has taken place in the daily services. The major part of the re-convicted prisoners assemble morning and evening with those under probation. For various reasons I conceive that separate services would be attended with much greater benefit to each class, and would perhaps more closely coincide with the general spirit of reformatory prison discipline. Such an arrangement, however, by increasing the number of the morning services from two to three, and of the evening from three to four, could not easily be carried out by one chaplain during the time prescribed for religious worship.

The sacrament of the Lord's Supper has been administered three times during the half year, or about twice as often as before, and the communicants have been privately met once in three weeks. During the last twelve months 44 have been admitted to the communion, five were suspended, one died, and 22 have left the prison on ticket-of-leave. Each of those who have left on ticket-of-leave has been furnished with a commendatory letter to the chaplain of the district in which the ticket-of-leave holder was about to settle, under the hope that he might receive such counsel and encouragement as might be deemed advisable, and thus be prevented, by God's blessing, from relapsing. As the conduct of those who join in this solemn act of dedication and seek its instrumental grace is much more important than the number that present themselves, I have appended a table (App. 1.) showing the standing of each communicant as returned for conduct on the works and in the prison from July 1st, 1853 to June 30th, 1854. This table is not furnished as though it afforded a criterion of a man's fitness to receive the sacrament, or as a satisfactory proof of his religious consistency; it may, however, give an idea how far the communicants do or do not bring a scandal upon their profession, and one return taken with another may perhaps indicate something more. I beg to repeat the remark made in my former report, that a list of the prisoners who have received the communion in the English prisons, with the character of each, considered in connexion with his religious profession, is a great desideratum in a colonial convict establishment.

Seven deaths have occurred in hospital, four were those of ticket-of-leave men, three of prisoners. One of the prisoners died insane (Reg. 1617), who sank under a long illness, was a man of strong sense, of good character in the prison, but during health of a proud

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Temporary preponderance of R. C. prisoners. Evil of associating large bodies of Protestant and R. C. prisoners.

The Sunday services.

Want of a consecrated building

The daily services.

Administration of the Holy Communion.

List of communicants in English prisons.

Deaths in the convict establishment hospital.

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Evil of receiving
ticket-of-leave men
into the same
hospital with
probation men.

Hospital as need-
ing more minis-
terial attention.

Progress of the
convict establish-
ment schools.

Secular instruction
should be placed
under one super-
intending head.

School room much
needed.

Evening school.

and reserved manner. His patient study of God's word during his illness led to the renunciation of Socinian sentiments, and was accompanied by the manifestation of much greater humility and gentleness. His death gave me every reason to hope that he had exchanged, through his newly-found Saviour, mortality for immortality. Apart from the direct results of medical care and treatment, the reception of ticket-of-leave men into the hospital during illness is far from being unattended with good. Much grateful feeling is occasionally evinced. What the prisoner too frequently receives as a right, the ticket-of-leave holder views more as a matter of Christian charity. Nor can I believe that their being brought once more under some religious instruction is without benefit. Still whatever advantages arise from the Christian course adopted towards them, their reception into the same hospital with the probation prisoners cannot be too strongly deprecated. The separation of ticket-of-leave men and (for like reasons) of re-convicted prisoners from the rest of the patients; is much required in a moral point of view. A hospital presents a vicious patient, where his strength admits of it, with rare opportunities for corrupting his fellow men, confined perhaps by a diseased leg, or it may be with some ailment that allows him freely to move about, and having unimpaired the powers of speech and reason, a few days will enable him to do great mischief. He often has a more extended period; but a short time will sometimes suffice to interest the probation prisoner in the peculiar phases of colonial vice and dishonesty, and to prepare him for the speedy abuse of all the culture that has been bestowed upon him. When I see how often men sullen and hardened by crime are subdued by the helplessness and dependence of a sick bed, and how often some serious thoughts will fasten upon the minds of the most vicious under the prospect, near or remote, of a fatal termination to their illness, I am led deeply to regret that the other duties of my office should leave me so much less time and strength for bedside ministrations than I could wish.

In directing your attention to the schools of the convict establishment, I am happy to be able to report with satisfaction on the general assiduity of the masters, and the satisfactory progress of the prisoners,—a progress fully equal to the opportunities that a half-day's attendance weekly would warrant one to expect. The Irish prisoners by the "Robert Small" and "Phoebe Dunbar" were found to be more deficient as a body in elementary knowledge than those from English prisons; their subsequent diligence has, however, made their improvement more marked. The secular instruction of the prisoners was placed originally under the sole superintendence of the chaplain, it being of course understood that the religious instruction of the Roman Catholics would be intrusted to their own clergyman. This decision has never been reversed, but an apparent incongruity in the instructions issued to the respective chaplains has occasioned some difficulty. I beg to submit that the interests of the prisoners absolutely require that the sole charge of the secular instruction should be vested in one or other of the chaplains,—an arrangement which would approach more nearly to the usage of model prisons at home. The unusual proportion of Roman Catholics during the last nine or ten months has indeed admitted of a separate Roman Catholic School, but this large influx of Roman Catholic prisoners was the result of the almost simultaneous arrival of two Irish ships. The inequality has already been greatly diminished, and as far as we can judge, in the month of August or September the Protestants will be in a majority of nearly two to one, supposing the expected English convict ship to arrive at that season. Nor is there, as far as I have understood, any reason to expect that this proportion which has obtained since the commencement of the system here will be at any time permanently set aside. Such a calculation will probably require mixed schools; and such schools conducted by so few masters as we have, must receive the same secular instruction from one set of class books, and should I believe, for their own advantage, be placed under one superintending authority.

The erection of a school room within the new prison will probably have already engaged your attention. The expense cheerfully incurred by our Government at home, and continued here, in educating the convict, may well induce us to give that educational experiment every chance of success. The arrangements of the wards are not at all adapted to the purposes of school keeping, and while the pupils are impeded the masters are discouraged. As long too as the school room is a make-shift, and a ward used in its place, no opportunity will be afforded of establishing an evening school. Such an institution, the attendance not being compulsory, would greatly advance the education of the convicts. Many of the men, probably the majority, would be glad to attend, and I should augur more good from a little voluntary self-education among adult convicts, if judiciously directed, than from any amount of compulsory teaching. Indeed were there no other ground than the expediency of employing the prisoners' evening hours of rest in mental culture, and of thus preserving the young in crime from contaminating intercourse with the hardened veteran, I should hope that I had sufficient plea for requesting the appropriation of a special building to the purposes of a school (App. 2). Appended will be found a school return, giving the attainments of the prisoners in elementary knowledge, and another (App. 3) indicating their progressive improvement. In these returns Protestant and Roman Catholic prisoners are placed separately. As the school instruction is confined to the elementary branches of knowledge, no idea can be furnished by these tables of the maximum attainments of those who in early life received a better education than the majority of the prisoners.

There has been a large and constant weekly issue of library books. To give a better idea how far the liberality of Her Majesty's Government in providing a prison library is taken advantage of by the men, I have appended (App. 4.) the monthly issue of books during the past half year, together with a corresponding monthly return of the number of prisoners within the walls. I have shown the issue to probation and re-convicted prisoners separately; and it will be seen from a comparison of the reading propensities of these two classes that the men most advanced in crime are by no means the most averse to intellectual pursuits. This is but one of many proofs, well deserving the attention of prison authorities, that ignorance, however frequently the attendant and handmaid of crime, is not always its parent. I regret that our library has received no increase from home; a judicious enlargement is much needed. The small additions that it receives from the accession of convict ship libraries on the termination of their voyage furnish it for the most part but with duplicates of works already possessed, and of these many are works that never leave the shelves. I hope that the application which I had the honour to forward for your approval some time since will lead to the desired enlargement of the library. Whatever the mere acquisition of knowledge may be unable to effect, the employment afforded by the pursuit of it is of great service in a prison. Such an occupation does not simply prevent the mind from brooding and from a rebellious discontent, but it greatly limits the corrupting influence of the more hardened prisoners. Were the hours when the body must rest spent in mental inactivity, a large association prison would, I am persuaded, require a very strong staff of officers and severe punitive measures to repress insubordination, and in its moral features would soon present scenes of the greatest depravity.

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AUSTRALIA.Issue of books
from the convict
establishment
library.Addition of new
works much
needed.

The lectures have not yet been resumed, owing to the crowded state of the prison. They are, however, about to re-commence, the schoolmasters and some of the clerks of the establishment undertaking to deliver lectures in rotation. These lectures were originated by the superintendent, and will be continued under his zealous direction with, I trust, the full success that his efforts deserve. As chaplain I seek to exercise no further control over them than an officer immediately connected with the moral and intellectual culture of the men should possess, namely, that of a veto upon the whole or part of any lecture offered for delivery, should any thing detrimental, in my judgment, to the intellectual or moral welfare of the men be propounded. Alternately with the lectures, readings will be commenced by the schoolmasters, the subject of each reading selected by the Chaplain.

Lectures.

Two out-stations have been under my pastoral care, one of these I regret to say but nominally. At North Fremantle I have held a weekly service, sometimes on Sunday night, sometimes on a week evening; the behaviour of the men at these services has afforded me much encouragement. The remaining station of Fresh Water Bay I have been unable to visit on account of its distance; the Protestant prisoners occupying it have consequently been cut off from all ministerial instruction; the number was however smaller than at the former station. At each a small library has furnished the men with the means of useful employment during their leisure hours.

Out-stations.

Want of minis-
terial oversight.

To the correspondence of prisoners I have the honour next to draw your attention. The interchange of letters between the convict and his relatives is on moral grounds worthy of encouragement; remorse for the disgrace and sorrow brought upon his family is often very strongly felt by the convict, and for the sake of an aged parent, a wife, or a sister, more it may be than for his own, he longs to regain his position in society; such sentiments are best sustained by frequent correspondence. The letters received by the prisoners are generally very judicious, giving the best counsel and breathing deep affection; nor is the influence of the letters addressed to them from home slight,—a mother's or a sister's words springing from an affection that crime and shame have failed to exhaust are often felt by men very depraved, and sink much deeper than a clergyman's admonitions could. Insensibility to these influences is one of the last steps in the downward progress of the criminal. Under these circumstances, I cannot think that it was the intention of Her Majesty's Government to place the convict in the colonies under greater disabilities than the convict in an English model prison, yet in more than one respect he is so placed. The regulation for all convicts is indeed the same, viz., that they shall be permitted to write and receive a letter once in three months. At home the required interval elapses, the letters are written, and reach with speed and unfailing certainty their destination, but the convict's letter in the colony or the parent's addressed to him from home may have to wait a considerable period before it can be transmitted, may (through the uncertainty attending foreign mails) if from England, be mis sent to some other colony as very many letters are, or be subject to delay of long and uncertain duration if sent by "ship" or be lost altogether; these are not cases barely supposable. The very last mail brought a number of letters from Melbourne, some posted in England eight months before, and the greater part plainly addressed to Western Australia, while frequent complaints are made of the loss of letters altogether; the result is mutual distrust and suspicion and sometimes final estrangement between the convict and his relatives. The evil might be partially remedied by a frequent interposition of the superintendent's or chaplain's authority to grant special letters, but this expedient if often resorted to would destroy the object of such indul-

Correspondence
of prisoners.Beneficial results
from a correspon-
dence with home.Detention of
letters.

gences; the letters would cease to be special. The best conducted men, moreover, are sometimes men who scrupulously abstain from asking any indulgence, while to the worst men, however desirable it might be to encourage their communications with relatives, no indulgence could be judiciously granted. I would respectfully urge the propriety of prisoners being allowed to write every two months. I may seem to have dwelt at more length upon this subject than was necessary; I can only plead in excuse, that the natural affections of the convict should in all cases be sedulously cherished; in many instances there is nothing else to work upon, and if this last humanizing influence die out, its quondam possessor, reckless of the opinion and indifferent to the regard of all his race, will be justly dreaded.

More facility of
correspondence.

General conduct
of the prisoners.

During the last six months nothing has occurred in the general behaviour of the Protestant prisoners to cause regret. On the works they are well reported for propriety of conduct; they are quiet and orderly in the yards; at the Sunday and daily services their behaviour is not unworthy the imitation of many free congregations. I have, too, observed much kindly feeling and goodwill in their intercourse with each other, and wherever the regulations of penal discipline are carried out in a manner according with the instructions of Her Majesty's Government, their demeanor toward their officers is respectful and marked by cheerful obedience. Of the integrity of many of the men I have formed a very favourable estimate. The re-convicted prisoners are, as a class, both in conduct and outward bearing much inferior to the prisoners on probation. There are, however, many favourable exceptions among the re-convicted, as might be looked for when the very trivial nature of the colonial offences of some among them (I mean trivial in a moral sense) is considered. As to the influence of sound religious principle upon the minds of the majority of the prisoners, my slightly extended observation does but confirm the unfavourable opinion expressed in my former report. They view themselves as more unfortunate than criminal; "they have got into trouble;" "that misfortune happened to them;" and "they hope it is all for the best." If the crime is sometimes regarded the punishment is esteemed a fair set-off against it. It is painful to me to report this want of moral perception, but I do not think such statements worthy of the surprise they sometimes excite. If in the world at large so many speak of personal faults rather as the result of some untoward circumstances than as matters for blame, or judge of a sin more by its unpleasant personal consequences than by the moral evil involved in it, it seems scarcely reasonable to expect that the majority of convicts should act differently and estimate their greater faults by stricter rules.

Effects of the
present system of
criminal juris-
prudence. *

The operation of the system now in force is not I conceive at all chargeable with the comparative rarity of strong Christian principle among the prisoners. A religion as wise as it is benign favours a course of discipline such as we are pursuing. Every reflecting man viewing the character of the prisoners will see from the first that it must partially fail of success, and with equal distinctness will perceive that the opposite course of treatment must wholly fail. If a firm administration of just punishment is essential to the welfare of the state, the union of kindness with firmness is equally essential to the reformation of the criminal. Coercion may satisfy justice and with justice, the public mind doing its work easily and relieving it of all further sense of responsibility, but with the adoption of a physical force system the attempt at religious reformation ceases. To make punishment reformatory the administrators must occupy their true position of fellow men and fellow sinners, regulating their severer and their milder measures by a christian code; but if the partial nature of the success is not attributable to the system, I am far from thinking that its details may not be improved and its application here be rendered more perfect. It is very certain that the earlier period of the prisoner's probation is the one during which religious impressions have usually the strongest hold upon the mind. If they continue to regulate the prisoner's life after his exposure to the society of his fellow convicts on the English public works they are too frequently obliterated under the contaminating influences of the voyage out. And it is to this subject that I desire, as in my first report, to beg your attention. The appointment of suitable religious instructors affects most materially the subsequent success of our efforts here, and I would respectfully request the exertion of your official influence to procure for convict ships, in the place of religious instructors, an ordained clergyman, holding under Her Majesty's Government with some degree of permanency the office of instructor to the convicts. In the place of religious instructors, who in their transit to a colonial life take up for the voyage the instruction of convicts never designing to resume it again, gentlemen, who in some cases probably have imparted religious instruction before, and in some cases at least have not, who if a high sense of conscientiousness does not animate them have little to fear from the careless discharge of a duty taken up but three months in their lifetime; in the place of these surely clergymen might be found, who for an adequate remuneration would take up this as their branch of the ministerial profession. If surgeons devote themselves to the superintendence of a convict ship, not as employment taken up on their way to a new land, but making this a chosen path in their profession, and thus rendering themselves dependent upon the faithful discharge of their duty one voyage for their appointment to another ship, surely clergymen well qualified for the work of religious instruction might be obtained ready to undertake employment on similar terms. I feel assured, that if from your own observation you have not been led to take a similar view as to the expediency of permanent ordained religious instructors

Clerical permanent
religious in-
structions for
voyage out.

you will yet bear with me in bringing under your consideration a question that affects too painfully my duties as a chaplain here. If there is any one period in a prisoner's probation when special care to prevent contamination and increased depravity is called for, any period when the watchful guardianship of an able and good man is required, experience plainly points to it as the period of the outward voyage.

I look forward to the occupation of the new prison with much satisfaction, entertaining as I do a strong hope that the application of religious principles will, under the Divine blessing, be attended with much greater success when a large portion of the prisoners can be placed in separate cells by night. I heartily wish all were so placed. That every prisoner should have an opportunity afforded him for quiet reflection, for reading his Bible and prayer, undisturbed by noise and undaunted by sneers and scoffs, is in my judgment an important element in every sound system of reformatory punishment. Among those who ridicule any appearance of religion, there are men who are merely stifling conviction under the encouragement of profane companions, and who would bow to the voice of conscience in the solitude of their cell. They are what they are because they are never dissociated from their fellows. And there are likewise timid but conscientious men, who in constant association are exposed to an ordeal in their path of duty such as Christians in the world have very rarely to face. It is because the men pass no time alone, have no opportunity of undisturbed reflection upon their previous course of life, that we have such obliquity of moral vision, such frequent substitution of "misfortune" for "crime." To place men in the last stage of probationary punishment promiscuously together by day, upon the works and in the yards, commends itself to our reason as a desirable test of what has been done for them, and as a judicious preparatory step to their return to an unrestrained communication with the world, but to place them together in large bodies by night removes to a great extent the means of repairing their moral energies by religious exercises, and has no analogy whatever with the ordinary life of men without the walls of a prison,—can lay claim to nothing preparatory. The man that can only be said to have just emerged from the paths of vice is placed in a position too difficult for the matured Christian; oftentimes his awakened moral powers waste away, and he is borne back by a continuous stream of evil example to a state worse than the first. I am not forgetting that there are cases where, on medical grounds, men should not be left alone even at night, but these are exceptional cases, and prisoners of this class would perhaps derive more advantage physically and mentally as well as morally, from being associated with two or three of the best men than from their being placed in an assemblage of scores or hundreds. Should the new prison at any time be enlarged, I sincerely trust Her Majesty's Government will provide accommodation for every prisoner separately by night, and avoid an economy that is in no slight degree suicidal to all past and present efforts at religious reformation.

In accordance with my instructions I have now the honour to offer a few remarks upon the conduct, &c. of the men who leave this prison on ticket-of-leave. During the last twelve months 256 Protestants have obtained their ticket-of-leave; of these 7 have returned as re-convicted prisoners. The total number of the men (Protestants) at present in the convict establishment from forfeiture of their ticket-of-leave is 92. Many of these have been returned for comparatively trifling offences in a moral aspect, yet the number must be considered large. My own impression is, that in the majority of cases the re-conviction is not the result of any determination on the prisoner's part to return to a vicious course of life, but is chiefly the fruit of peculiar difficulties and temptations, some of which are capable of modification or removal.

Men who have left the prison on ticket-of-leave.

In the first place, from the scarcity of private employment the majority of the men are drafted to depôts. The best men dread a depôt; they desire to stand free from their former companions, to be entirely dissociated from them, and thus unshackled to begin their efforts after an honest livelihood. They do not wish to commence with a state of comparative dependency, and to have their awakened longings for some position in society gradually benumbed. They are persuaded, too, that in associating with the idle and the profligate, under much less restraint than can be imposed upon prisoners, they encounter a more serious evil. The man whose probation has just been completed, and who has earned the best character for industry and integrity must here associate with the servant to whom the depôt is a penal abode for idleness or drunkenness, and with the re-convicted, or it may be, the twice or thrice re-convicted man, whom no private employer will readily engage. Some of the men would prefer staying in the prison to a removal to a depôt. Depôts, however, must exist, but I would respectfully submit whether men of reprobate character, the reconvicted, the idle, and the drunken, might not be placed in a separate depôt from those who have done nothing to merit blame subsequently to their release. I would venture further to suggest the necessity of extending the moral supervision to which the men have been subject in prison to their residence in a depôt, with such modifications as might be considered expedient. Regular visits by a clergyman and stated services, at which all Protestants might be required to attend, would seem of no slight importance. The attendance of the men once a week at church, where their location allows of it—and often it does not—does not appear fully to meet the exigency. They regard themselves as at church by "sufferance;" the church they look upon as belonging to the free population.

Scarcity of employment.

WESTERN
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and the minister's address comes to them but incidentally. They feel the need of a kind ministerial oversight—of pastoral visits at their temporary "home." A few words of kind encouragement or rebuke addressed to them individually, or as a separate congregation, would effect far more than a public address in a building which, sacred as it is, the more sensitive visit with uneasiness. They wish to hear and worship where they will be neither shunned nor gazed at. Their past and present condition requires, too, counsel of a peculiar kind, such as in a mixed congregation could not be faithfully addressed to them without exposing them to painful observation and remark. I think these considerations, at least if presented as strongly as they merit, would show sufficient ground for the appointment of clergymen whose sole duty should be the religious supervision of two or three depôts. Under the blessing of Almighty God, we should then, I am persuaded, have much fewer re-convictions.

Scarcity of
lodgings.

The scarcity of suitable lodging such as ticket-of-leave men might occupy in the towns of Perth and Fremantle is another source of discomfort, intemperance, and crime in their progressive stages. There is no immediate probability of this want being met. While the ticket-holders, as far as they can obtain permission, resort to the towns, as affording the best prospect of remuneration for their labour, private adventurers who have houses or rooms to let will endeavour to reap the richest possible harvest from the space, with as little care for comfort and decency as economy will suggest. The ticket-holder often cannot obtain a quiet respectable lodging. His evenings, if spent in society, must be spent at a public house; mechanics' institutes practically shut them out. Between the bar of a public house and the discomforts if not temptations of his lodging he is soon urged to retrace the paths of vice. Unable as many, I believe the majority, of the prisoners are on their release to resist the temptations of a town, to bear up against the contempt of the free and the snares of the depraved among the convict population, I feel sure that they will never as a body reflect any lasting credit upon the system as one of moral training unless a kind sheltering hand is extended to them upon their release. It is with this increasing conviction that I venture again to direct your attention to the establishment of model lodging-houses in each of the above-named towns for the accommodation of this class of men. These institutions, furnished with moderate comfort, cleanly kept, provided with good libraries, and maintained under good working control, without any vexatious interference with the tastes, &c. of the men, would prove I am persuaded preventive of crime. While two rooms unfurnished let for 8s. a week in this town, and the rate at Perth is probably not much lower, the risk of its self-support would not perhaps be great, but such a scheme, if its moral worth be not overrated, cannot be rightly estimated by its peculiar returns. I am at the same time fully aware how much the success of an institution of this kind will depend upon the judgment displayed in its regulations, its control, and the many minor details connected with its management. Would not these institutions provide one of the most natural auxiliaries to our efforts at religious reformation? Would they not greatly lessen the temptations to intemperance and licentiousness? What would they not effect for the ticket-of-leave holder as the simple means of raising his self-respect, affording him the dignity and comfort of a respectable well-regulated home? Plans for such buildings would at any time be laid before you, if the scheme received your countenance and support.

Want of wives.

Ticket-of-leave men have to struggle against a serious evil, the source of much temptation, in the want of wives: of 2,929 men sent to this colony 724 are returned as married previous to their conviction; the number of applications made to Government for the passage of convicts' wives has been 47. How many of these have received their wives I have been unable to learn, but there must be some deduction from the number of applicants to allow for the intervention of unexpected casualties and for change in the woman's will. My acquaintance with the correspondence of prisoners enables me to state, that not a few women refuse to come out; many husbands, too, refuse to apply for them; a few undoubtedly have married since their liberation in spite of the paucity of women and of the greater attraction presented to the female sex by the free emigrant. The slightest acquaintance, however with, the colony would show that by far the greater part of the ticket-of-leave men are living without wives. It is then in considering the number of re-convictions only fair to compare with it the number of ticket-holders who know little of domestic comfort, nothing of the restraining and reclaiming influence of woman, and who being as convicts under circumstances peculiarly suggestive of desponding thoughts are tempted to seek a substitute for home and its happiness on the bench of the alehouse; and it is also but right to bear in mind that the men, labouring under this disadvantage were in a great number of cases before their first conviction victims of unbridled passions.

I should feel myself greatly wanting in my duty as a convict chaplain in the colony (and more so as I am the only chaplain exclusively employed in the instruction of convicts) if I did not express through you my most earnest hope, that the Home Government will provide at once against the serious evils that must result if an increasing number of male convicts are located in a country where women are not found in numbers at all proportionate. Here we not only see the emigrant single women decreasing in number, but find them very far from equalling the prisoners; many of these, however, would not marry a released prisoner. I have not, however, noticed that while the convict is detained often for years, the emigrant more readily leaves, attracted by the higher wages of

neighbouring colonies; and if an accurate return were obtained of the single women now resident in Western Australia, the disproportion between the number of unmarried of each sex would be, I am persuaded, far greater than the mere returns of emigrants and convicts landed would imply. It is for Her Majesty's Government to decide what steps shall be taken to equalize the sexes; my duty in this report does not carry me further than to direct your attention to the position of the criminals transported to this colony. And after having pointed to the simple fact of a large and constantly increasing number of these men, whose habits prior to their original sentence were in most cases licentious, settling and being compulsorily detained in a climate nearly tropical, with the female sex much lower in number, and moreover the women decreasing as the other sex increases,—when I have pointed to this simple fact, I have done enough to afford matter for the most anxious concern. I am sure it will obtain your attention and that of the Home and Colonial Government.

The depravity that must result the mind can only be brought to contemplate with reluctance and pain; its prevention is proportionately worthy of the most strenuous and immediate exertions. It is an encouragement to me to know that my views on this question are in accordance with those of a clergyman of much greater experience and powers of observation, the Venerable the Archdeacon of Western Australia.

In concluding this report, I beg with respect to express my obligations to you for the aid rendered me in the discharge of my official duties.

My thanks are also largely due to the superintendent of the convict establishment, who has never failed to render me any assistance that I may have required. The general unity in our views, while I trust it has contributed something to the efficiency of our several departments, has added much to the comfort of my own position.

I have, &c.

JAMES BROWN,
Chaplain.

WESTERN
AUSTRALIA.TABLE showing the Standing in the Prison Character Book of each Communicant during the
Year commencing July 1853 and ending June 1854.

Register No.	1853.						1854.						Remarks.
	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March.	April.	May.	June.	
1267	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	v. g.	ex.	Prisoner Con- stable.
1269	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	
1283	ex.	ex.	ex.	ex.	ex.	ex.	left on t. of l.						
1303	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	Clerk.
1335	ex.	ex.	ex.	ex.	t. of l.								
1338	ex.	ex.	ex.	ex.	ex.	t. l.							
1342	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	Prisoner Con- stable.
1383	ex.	ex.	ex.	ex.	ex.	ex.	t. l.						
1404	ex.	ex.	ex.	ex.	t. l.								
1423	v. g.	v. g.	ex.	v. g.	v. g.	ex.	ex.	ex.	ex.	Hospl.	Hospl.	Hospl.	Prisoner Con- stable.
1435	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	
1447	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	
1450	v. g.	v. g.	v. g.	ex.	ex.	ex.	v. g.	Hospl.	Hospl.	Hospl.	Hospl.	Hospl.	Prisoner Con- stable.
1453	v. g.	v. g.	v. g.	ex.	ex.	v. g.	ex.	v. g.	v. g.	Hospl.	Hospl.	Hospl.	
1465	v. g.	ex.	ex.	ex.	ex.	t. l.							
1484	v. g.	v. g.	v. g.	v. g.	v. g.	v. g.	v. g.	v. g.	v. g.	v. g.	t. l.		Prisoner Con- stable.
1524	ex.	ex.	ex.	ex.	ex.	ex.	ex.	t. l.					
1531	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	v. g.	ex.	ex.	ex.	
1545	ex.	ex.	ex.	ex.	ex.	ex.	v. g.	ex.	ex.	ex.	t. l.		Prisoner Con- stable.
1552	ex.	ex.	ex.	ex.	ex.	ex.	ex.	t. l.					
1568	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	
1586	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	t. l.					Prisoner Con- stable.
1594	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	t. l.				
1603	v. g.	v. g.	v. g.	ex.	ex.	ex.	ex.						
1611	v. g.	ex.	ex.	ex.	ex.	ex.	t. l.						Prisoner Con- stable.
1617	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	died.			
1619	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	t. l.	
1621	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	Pris. Cons. and Clerk.
2005	These men arrived by the ships "Robert Smal," "Phebe Dunbar," August 1853.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	t. l.			
2085		ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	
2090		v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	Hospl.	Hospl.	t. l.	
2091		g.	g.	v. g.	g.	v. g.	v. g.	ex.	ex.				
2206		ex.	ex.	v. g.	v. g.	v. g.	ex.	v. g.	ex.	ex.	ex.	ex.	
2210		ex.	ex.	ex.	ex.	g.	ex.	v. g.	v. g.	ex.	ex.	ex.	
2212		g.	g.	g.	v. g.	ex.	ex.	ex.	ex.	v. g.	t. l.		
2223		ex.	ex.	ex.	ex.	ex.	ex.	ex.	t. l.				
2353		v. g.	v. g.	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	
2576		v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	t. l.				Prisoner Con- stable.
2578		v. g.	v. g.	ex.	ex.	v. g.	v. g.	ex.	t. l.				
2579		ex.	ex.	ex.	ex.	ex.	ex.	t. l.					
2605		g.	v. g.	v. g.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	ex.	Prisoner Con- stable.
2625		ex.	"General Godwin," March 1854.						v. g.	v. g.	ex.	ex.	

JAMES BROWN, Chaplain.

APPENDIX 2.

WESTERN
AUSTRALIA.RETURN showing the Proficiency in Elementary Instruction of Prisoners on the
School Books, June 30, 1854.

Class of Prisoners.	Reading.				Writing.				Arithmetic.					General Knowledge.			Total S. B.
	Good.	Tolerable.	Imperfect.	Not at all.	Good.	Tolerable.	Imperfect.	Not at all.	Higher Rules.	Compound Rules.	Multiplication.	Addition.	Not at all.	Considerable.	Some.	But little.	
Probation English -	41	35	33	—	17	51	39	2	14	20	34	36	5	7	26	76	109
„ Irish -	107	91	88	4	40	101	134	15	24	32	46	99	89	36	77	177	290
Re-convicted -	48	45	15	—	22	57	28	1	13	21	39	29	6	8	25	75	08
Total - -	196	171	136	4	79	209	201	18	51	73	119	164	100	51	128	328	507

JAMES BROWN, Chaplain.

APPENDIX 3.

RETURN showing the Progressive Improvement of the Men attending School during
the Half-year ending June 30, 1854.

Subjects.		English Probation.		Irish Probation.		Re-convicted.	
Improved in reading	- -	14		56		12	
„ writing	- -	38		83		37	
„ arithmetic	- -	20		31		26	
Total	- -	72		170		75	

JAMES BROWN, Chaplain.

APPENDIX 4.

RETURN showing the Monthly Issue of Books from the C.E. Library, from
January 1 to June 30, 1854.

_____		No. of Probation Prisoners.	Issue of Books.	No. of Re-convicted Prisoners.	* Issue of Books.	Total No. of Prisoners.	Total Issue of Books.
January	-	561	208	80	55	641	263
February	-	516	221	83	114	599	335
March	-	546	290	84	166	630	456
April	-	605	288	91	157	696	445
May	- -	494	334	95	263	589	597
June	- -	459	217	104	241	563	458

JAMES BROWN, Chaplain.

REPORT OF ROMAN CATHOLIC CHAPLAIN.

Convict Establishment, Western Australia,

Catholic Chaplain's Office, June 24, 1854.

HONOURABLE SIR,

THIS being the first report which I have had the honour to forward to you relative to the duties in connexion with my office as Catholic Chaplain of this establishment, I beg most respectfully to request, should any expression or comment of mine be considered undue or misplaced, that my desire to promote the moral and general welfare of Her Majesty's prisoners will plead for an indulgence, as this constitutes the final end of all my care and interest.

Since my late appointment to this establishment, which commenced early in the month of January last, I have made it my most earnest study to render all the possible services in my power to the prisoners; and although I have had the honour of being the first Catholic Chaplain appointed to do duty in the establishment since its foundation, with the exception of about five months, I shall however date this report from the commencement of the present year.

On the necessity
of erecting a
chapel.

The first subject to which I desire to direct your attention is the construction of a suitable chapel which would wear the appearance of religion, and of course would be more ecclesiastical than a division where the prisoners themselves live, and which would be more likely to promote the religious, and I may add the general welfare of the men, and would be more becoming the dignity and solemnity of the Christian religion. For instance, there are many of the prisoners who wish to be confirmed; and can we, with propriety and respect for the episcopal character, introduce a bishop into the present place allotted for divine service?

It is time the sacrament could be administered and the men confirmed in their faith; but certainly a chapel would be more suitable for so solemn an occasion, and better calculated to excite the religious feelings of those poor men, and where the mind could be more solemnly and sacredly engaged during the time of divine worship, and where the appearance of the chapel would not fail to attract and invite the poor prisoner, whose mind perhaps saddened and sometimes overwhelmed with affliction, to spend a vacant half hour in silent prayer and meditation in the presence of his divine Lord and image of his crucified Saviour; and while thus reflecting upon his unenviable state, nothing is better calculated to move him to a reformation of moral character than the thoughts of compunction which a true temple dedicated to God is likely to arouse in his soul. Notwithstanding the very clean appearance of the division at present used for divine service, I must say that it falls far short of the holy and sacred aspect of religion.

On school im-
provements.

The next important subject to which I desire to direct your attention is that of the school. No person can doubt but a great deal of good is done here, and I am of opinion much more could and would be effected by favouring the Roman Catholic prisoners with a teacher professing the same religion with themselves; though it may be said, What has the teacher to do with religion? But I answer, that where the religious belief of the teacher differs from that of his scholars, the same good in a religious point of view which otherwise may be hoped for can scarcely be expected; and it is most reasonable that the chaplains of each community would prefer a teacher of their respective religious creeds. And I would suggest that two half days in the week should be granted to those who cannot read: the one half day, in my opinion, is not sufficient to forward those poor men who are ignorant of these the first rudiments of education; and I am confident that the two half days in the week would not fail to make a sensible improvement under the superintendence of a zealous and interested school master. Adults most generally appreciate and avail themselves of such an opportunity afforded them for improvement, and it is with pleasure I make mention that the schools have done and effected a large amount of good for the prisoners.

On the necessity
and utility of a
Catholic library.

The subject to which I now call your attention is that of the library for the Catholic prisoners, which indeed is very inconsiderable, and far too limited for the establishment. There are only 150 religious books for a number of men which amounts to about 500. It is true a memorandum of religious and useful books was sent into the Superintendent, Mr. Dixon, early in the month of August last, and which I believe had been forwarded to the Home Government; but the fact is ten months have elapsed and the books have not yet arrived, and though his Excellency the Governor had been pleased to sanction the purchase of the above 150 books from the Right Reverend Dr. Salvado; but of what avail are these among so many men? The prisoners call almost every day to my office for some instructive religious books to read, and with regret I am obliged to refuse them, but always with a hope referring them to the memorandum.

Now the great advantage of a general, useful, and religious library for the Roman Catholic prisoners of the establishment can scarcely be expressed or described here; for I consider the moral elevation and religious progress of the colony depend in a great measure upon the convict establishment, where the seeds of its social welfare are planted; therefore I am of opinion I would be deficient in point of duty were I to omit to urge the utility and necessity of a good library for the Catholic prisoners, hereby placing the chaplains in their proper positions, affording the means useful and necessary for improving the mind and fostering those virtuous dispositions which should be at all times our earnest study to promote.

Relative to the
appointment of an

Permit me now to direct your attention to the necessity of appointing a free clerk to perform the abstract duties in connexion with my office; and though I have had the

honour of forwarding an application for the favour in the month of March last, and of receiving your communication on the subject, in which it was stated that the duties in connexion with my office were not sufficient so as to justify the appointment of a free clerk, however I have to remonstrate again upon the necessity of the appointment, which will appear evident from the fact of one prisoner not been allowed to write a letter for a fellow prisoner; and my clerk, being a prisoner, cannot write letters for prisoners who are unable to write themselves, which becomes a prominent cause to justify my application. I am aware that prisoners do not write to their families because their letters could not be written in my office. No one is more desirous to encourage the prisoner, and recommend him to offices of trust, when they prove worthy, than I am; but considering such serious circumstances, it becomes my duty to propose and recommend that which would be most likely to further and secure the moral welfare of the prisoners. The clerk will have to attend me on all occasions of divine service, to attend to the duties of the library, to copy letters, to register the sick in the hospital, and those under punishment in the cells, and to write letters for prisoners who cannot write themselves.

The subject to which I will now direct your most serious attention is an important one; and though I have had the honour to represent it to the Superintendent on a former occasion, and not been followed by the desired effect, obliges me to request your most serious consideration in favour of an amendment; it is as follows:

Roman Catholic warders are ordered to stand during the whole time of divine service on Sundays. This is no less painful to the officers than it is to the clergyman who celebrates the divine worship. It may be said here that warders are on church duty. It is evident it would not affect their duty by allowing them (Roman Catholic warders) to comply in some respect with the rules and rites of their religion, and therefore the consolation of satisfying and complying with a solemn and Christian obligation. Now there is no one that respects the prison rules more than I do, or would appreciate more the good government of the establishment; but in this I most strongly recommend an amendment, on the grounds that Catholic officers cannot satisfy the obligation of keeping holy the Lord's-day by attending only the evening service, the rules of the Catholic Church obliging all her community to assist at the Holy Sacrifice which is celebrated in the forenoon. I have consulted the Right Reverend Dr. Salvado on this important subject, in order to learn how far we could go with this prison rule, when his lordship informed me that officers, notwithstanding their close observation on and over the prisoners during the time of divine worship, can by a moral attendance in such a case comply with the ecclesiastical obligation, but that they ought to kneel at the Elevation, and at the administration of the Holy Communion. I hope and request you will grant this favour to the Roman Catholic officers, which will be gratefully acknowledged by them. On inquiry it will be found that this privilege conforms with the customs of other prisons where there are many Roman Catholics.

The last, though not the least subject of my report, is that of burying the dead on the same day of their departure from this life. Considering the natural and general feelings of men on this unusual custom, I think it may reasonably be called a grievance. I do not intend to accuse the doctor here, as that gentleman in his report, in answer to some inquiries made to him on the subject, clearly stated that the detention of a corpse longer than seven or eight hours in the hospital would be followed by a great inconvenience, and with dangerous results; and in the same letter it was stated, that in addition with meeting the views of the Roman Catholic Chaplain, the erection of a dead-house would prove most useful and convenient, where the corpse could be kept for a day and night after death. During the last half year there have been six deaths amongst those of my spiritual charge, and you will feel pleased to learn that those men departed this life full of hope in the mercy of God; indeed I must say, there is no place where the fruits of religion appear more conspicuous than in the hospital, where daily experience teaches the conformity of the patients to the will of God, and their perfect resignation to His eternal designs in the midst of their sufferings. I administered the last rites of religion to each of those poor men before their departure from this life, with the exception of one, whose death was not anticipated, and whom I visited every day during his illness, and who had a strong hope of recovery, as was evident from his preparing to receive the Holy Communion on the following Sunday at the time of divine service. This man's death may be called sudden: he departed this life on the 22d May last, at 4.30 A.M.

As a body the Roman Catholics of the establishment are good and moral men, and calculated well for their future prospects,—attentive to their religious duties, obedient to their officers, and mindful of the prison rules, not only through fear, but also for conscience sake. Never was I more edified than I had been on Easter Sunday last, when I had the pleasure to administer the Holy Communion to 80 of these poor men, and on the following Sunday 30 approached and received at the banquet of the Lord. During the last half year there have been 450 communicants, and I have given catechetical instruction on the Christian doctrine to 312 who came especially to my office for that purpose. I am indebted to the Superintendent, Mr. Dixon, for the time and opportunity afforded for these instructions, and his readiness at all times in affording the opportunities necessary for the discharge of my clerical duties. I have also to acknowledge the courtesy of the chief officers on all occasions.

WESTERN
AUSTRALIA.
—
attendant on the
chaplain.

On the necessity
of officers comply-
ing with religious
rites during divine
service.

Hospital report.

WESTERN
AUSTRALIA.

I must add that it would be a great convenience for the Catholic chaplain had there been a chief officer in the establishment professing his religion, who could recite prayers on some particular occasions for the prisoners.

Reverting to the moral and religious progress, I have good reason to hope and believe, when these men receive their tickets of leave they will prove grateful for the favour, and become useful for the colony, and many of them useful members of society, and have no doubt will show and prove themselves not the least deserving of the name and title of British subjects.

On the day of each prisoner's departure from the establishment, they visit my office, where they receive a paternal caution, and are reminded of the great advantages of persevering in those religious and enterprising dispositions, which appeared to characterize their conduct while within the prison walls, and which will not fail to stimulate and encourage them to the practice of industrious and virtuous habits during the remainder of their lives.

Many of these men acknowledge the justice of God, and of the laws of their country, in reducing them to the precincts of prison walls, where time and opportunity have been afforded them to meditate upon the great mysteries of religion, and to study the unsearchable designs of an all-ruling Providence.

The Honourable the Comptroller General,	I have, &c.
&c.	(Signed) TIMOTHY DONOVAN,
&c.	Catholic Chaplain.

SURGEON'S REPORT.

SIR,

Convict Establishment, Fremantle,
Western Australia, August 1, 1854.

In conformity with the regulations, I have the honour to transmit you my Report for the half year terminating 30th June 1854.

From the accompanying Statistical Tables you will perceive that, while the numbers of sick have been considerably reduced, the prevailing diseases have been different to what they were during the preceding half year, affections of the eyes, bowels, and skin having taken the place of the febrile disease so common during that period.

When we take into consideration that the average daily number of prisoners has been 814, and that the daily average of sick, including convalescents, has been 58, with an extraordinary prevalence of certain forms of disease not endemic to the place, but confined, I may say, to the walls of the prison, the subject becomes one of great importance, and demands my most careful attention, falling as it does under my special province of investigation.

In my last report I stated that the unusual numbers of sick could be accounted for when we took into consideration the peculiar circumstances under which nearly six hundred of the prisoners who arrived in the "Robert Small" and "Phoebe Dunbar" convict ships were admitted into the establishment; I also attempted to explain the dependence of certain forms of the prevailing diseases on a species of atmospheric poison analogous to that which causes the common ague. But from the observations made during this half year, I feel myself compelled to admit another and most important cause as perhaps the principal agent in the production of disease during the last six months, though I see no grounds for altering the opinion regarding the dependence of much of the disease on atmospheric causes, especially at certain seasons of the year; still I think the one I have now to bring forward has been overlooked until the present time, I mean a badly constituted system of diet, not too scanty, (on the contrary, the reverse,) but deficient of certain elements necessary for the formation of pure blood, and containing an excess of others, which, in my opinion, has proved a most fertile source of disease; and though the system may ultimately become habituated to the diet, before this can be accomplished serious organic disease is frequently the result, and permanent ill health established. After a series of careful observations and experiments, I have come to the conclusion that the diseases of the eye, of the bowels, and of the skin are principally to be attributed to a faulty diet, and view them as mere local varieties of the same constitutional disease.

Now-a-days it is almost generally admitted that we must look upon the blood as the principal agent in the causation of disease; and without at present entering into a detail of the circumstances which may lead to an alteration of the vital fluid, we will assume such to be the case. All parts of the body are permeated by the blood, which circulates through them with different degrees of velocity according to the nature of the part and its distance from the centre of the circulation. Motion from and to the heart is the natural movement of the blood; its arrest in any portion of the body constitutes disease, which may be only slight as congestion, but severe as inflammation. I doubt the existence of the first of these conditions where the blood is healthy, except as a result of mechanical injury, and feel almost certain the second never occurs but as a consequence of depraved blood. Supposing then the blood to contain matter foreign to its natural composition, the circulation cannot go on so naturally through the minute capillaries invisible to the naked eye, and situated at the extremes of the circulation, such as those ramifying on the surfaces of the skin, eye, and intestines. These minute blood vessels, intended by nature

only for the passage of healthy blood, naturally will find a difficulty in transmitting particles differing in size, shape, and quantity to what they hitherto have been accustomed to. Congestion, or arrest of the circulation, is an inevitable consequence. A point of stagnation once established, the parts in the immediate vicinity will become predisposed to the same morbid condition, and from the continued deposition in the part of unnatural blood, the part will become altered in appearance according to circumstances, presenting various forms of disease, as the simple vascularity of a slightly inflamed eye, or the intense redness and swelling and alteration of texture of purulent ophthalmia, or the various appearances which the skin assumes in the different forms of cutaneous disease.

If local disease, therefore, originates from the impure blood which has circulated or may be circulating through a part, there is no sound physical reason why in half a dozen people affected with the same morbid condition of the blood each one should not have a different form of local disease. Constitutional predisposition to certain diseases is universally acknowledged: some, when exposed to certain exciting causes, suffer from affections of the respiratory organs, others from bowel complaints, while a third class might have cutaneous eruptions or ophthalmia.

To apply the principles I have been arguing to the sickness which has prevailed during the period over which this report extends, I shall confine my remarks to the diseases of the integumentary, digestive, and ocular systems, and hope to be able satisfactorily to demonstrate the identity of the three forms of disease on the same exciting cause, not only because they were the most prevalent, but because their investigation derived the greatest aid from the external senses, rendering the conclusions I have come to more the result of practical observation than of speculative deduction. "*Ars tota medica est in observatibilibus.*" The diseases in question have been confined to no particular month, having been equally prevalent during the half year, and as strong a proof as I can adduce of their dependence on the same constitutional cause is, that the presence of one of the morbid conditions invariably secures to the patients immunity from the others, two of the diseases never existing at the same time in the same individual; on the contrary, I have seen numbers of the most obstinate cases, especially of eye disease—cases which had resisted every species of treatment—disappear as if by magic, on the sudden appearance of a cutaneous eruption or an attack of dysentery. Before proceeding to comment on the identity of appearance which the diseased parts present to the naked eye, provided they are analogous in texture, I shall adduce a few individual examples illustrative of the constitutional and not local character of the diseases amongst both the prison and ticket-of-leave men, at the same time avoiding as much as possible entering into medical details.

The following case illustrates the connexion which exists between the prevailing form of bowel complaint and cutaneous disease.

Joseph Brooks, probation prisoner, employed as constable in the establishment at the commencement of the present year, as he had done for some time previously, suffered from a very extensive and obstinate form of ring worm. He was frequently under treatment, and I attempted the cure by constitutional remedies without any apparent success.

Owing to the irritation it occasioned, he repeatedly applied to me for some local application which might destroy or arrest the morbid action of the part; but I explained to him that the ring worm was a salutary effort of nature in expelling an impurity from the blood, a process as certain as it became arrested in the skin would appear in the form of another disease elsewhere.

This cutaneous eruption continued for some time unaffected by treatment, and then suddenly disappeared; but almost immediately afterwards he was seized with bowel complaint, which rapidly assumed the symptoms of acute dysentery; in other words, the inner membrane of the intestines having become the seat of the ring worm in place of the skin, verifying what I foresaw months before. The man now remains under treatment for chronic disease of the bowels, the intestinal mucous membrane having become disorganized, as a natural result of its attempt to carry on the process of elimination formerly conducted by the stomach.

By directing treatment solely with the view of correcting the supposed morbid condition of the blood, he is now much improved. In a case of this kind complete recovery cannot be expected to follow immediately, the removal of the "*materies morbi*," owing to the functions of the disorganized part, constantly exposing it to mechanical irritation.

The following case may be taken as the type of another variety.

William Robinson, probation prisoner, was in hospital at different times for purulent ophthalmia without deriving any permanent benefit from treatment, until one morning I was surprised to find all traces of ocular disease had vanished, and that a large patch of ring worm had appeared on the face during the night, satisfactorily accounting for the sudden disappearance of the ophthalmia, which might have been caused by the irritation of the capillary vessels of the eye by the morbid blood, which, when converted in a like set of vessels in the skin, presented the characteristics of ring worm. I could mention numerous cases such as the preceding one, but will only add the following, as it tends to prove that the same peculiarity of disease exists at the ticket-of-leave depôts, the subject of it having returned to the establishment as a re-convicted prisoner before I commenced this report.

Christopher Jordon, when probation prisoner, had been under treatment for some months for most obstinate ophthalmia; remedies, both local and constitutional, having failed in pro-

ducing the least effect on the disease, he was sent to the Freshwater Bay station, that change of air might exert some beneficial influence; however, he continued without improvement, and had to be removed to the establishment hospital.

While under treatment there, a scaly eruption broke out over the face and head; and the ophthalmia, which had hitherto defied all the resources of the medical art, almost immediately disappeared; and by confining the treatment to a restricted and properly regulated diet (containing a little vegetable acid), the skin disease entirely disappeared, and he was free from disease when he went out on ticket-of-leave.

Since then he has returned to the establishment as a re-convicted prisoner, and on admission I found the ophthalmia nearly as bad as ever, but no indications of cutaneous disease; taking a hint from what nature had formerly done, I adopted means artificially to produce a cutaneous eruption, and applied the croton oil liniment by friction to the temples, after three applications of which I found the parts assuming exactly the same form of skin disease which he formerly had, followed by rapid decline and complete disappearance of the ophthalmic symptoms.

I shall now make a few remarks on the similarity of appearance which the morbid parts present when examined visually, especially when analogous in structure, though situated at the extremes of the body, as the mucous membrane of the intestines, and the mucous membrane of the eyes. One of the most troublesome and intractable conditions which the latter acquires is that known as granular lids, a peculiar rough hypertrophied state, generally accompanied by purulent discharge, and frequently by ulceration. On post mortem examination of the cases which have died of dysentery, I have found the intestinal mucous membrane to the extent of several feet present exactly the same morbid appearance. In one case of dysentery I found the membrane studded with a pustular eruption, exactly similar to one of the common forms of cutaneous disease in the prison, that known as "Sycosis menti," a peculiar eruption affecting the chin, which has been very prevalent of late. Having adduced what I conceive to be sufficient evidence in support of my view regarding the identity of the prevailing forms of disease, and their dependance on the same constitutional cause, certainly during the past half year has been acquired from dietetic and not atmospheric influence.

During the latter part of December last the ophthalmia appeared, and increased in prevalence during January and February, until at the termination of the latter it had reached an alarming extent. As I was inclined to view it as partly connected with atmospheric, partly with mechanical causes, I had about sixty of the worst cases removed to North Fremantle and Freshwater Bay stations, hoping that change of air and removal from the strong glare of the sun and irritation of the sand might exert some beneficial influence, medicine having entirely failed to do so. After paying every attention to the men, as far as seeing that they had the necessary medical appliances, and after giving the experiment a fair chance of success, with a few exceptions, the men were gradually removed to the establishment for more special treatment, no material improvement having resulted. As the disease continued to prevail with even greater virulence during March and April, and as it was by no means confined to the chief establishment, but had been equally prevalent amongst the prisoners at Guildford, I began to see that the cause was to be sought for in other than atmospheric influences, and determined carefully to investigate that which I had for some time previously suspected to be the cause of the unusual prevalence of cutaneous disease, a prevalence far exceeding that shown by my statistical tables; for at one time the disease might be said to have been almost universal amongst the greater body of the prisoners, and which lead me to suppose that it was owing to an excess of fermentive matter in the blood, resulting from an over quantity of certain kinds of food, with an insufficient supply of vegetable or vegetable acid.

A reference to the case of Christopher Jordon will be instructive, as this case may be taken as the type of the causation of disease in the chief establishment and ticket-of-leave depôt generally. In it we have indications of a morbid blood selecting the delicate membranes of the eyes, for the discharge of the abnormal particles. The disease proceeds unchecked by medical or surgical treatment, when nature suddenly, from some cause or other, selects the skin as the organ of elimination; the morbid deposit now presents a different appearance to what it did in the eyes, from difference of organization and function in its new site. This skin disease is presumed to be the result of a diet faulty from its bulk and the want of vegetable acid. A restricted diet is ordered, with the desideratum supplied in the form of lime juice, and all traces of disease rapidly disappear; the man returns to his former diet, and shortly afterwards the eye disease returns. By art the ophthalmia is cured, the cure consisting of inducing nature to throw off her morbid blood in another way; the skin disease is left alone, and treatment restricted to diet, as formerly, and the man is a second time restored to health, but in all probability only to have a relapse if allowed again to return to the same exciting cause. Being deeply impressed with the great, and I fear hitherto overlooked, influence which diet has exercised over the general health of the prisoners, I proceeded carefully to investigate the subject, and the result has been most conclusive evidence that the present diet of the probation prisoners is faulty, as much, perhaps more, from its bulk than the want of a regular and sufficient supply of vegetable acid, though the supply of that deficiency seems in a measure to counteract the injurious effects of excess of quantity. Still the "hard labour party," using the same food, only in smaller proportion, enjoy infinitely better health without any counter-

acting influence but that of diminished quantity; consequently, I feel myself compelled in the present instance to give excess of quantity the priority, though the deficiency of vegetable acid no doubt also exercises an important influence; but I must say secondary to that of quantity, constituted as the present system of diet is, contrary, I must confess, to what I expected to result from my investigations.

The following are the data from which the foregoing conclusions have been deduced.

On the 2nd of May last, I selected about forty men, principally labouring under ophthalmia and cutaneous disease, and sent them to the North Fremantle station as invalids, placing them on the following diet:—

DINNER.

Monday	-	-	Salt Pork, $\frac{1}{2}$ lb.
Wednesday	-	-	Peas, $\frac{1}{2}$ lb.
Friday	-	-	Potatoes, $\frac{1}{2}$ lb.
Tuesday	-	-	
Thursday	-	-	Fresh Meat, $\frac{1}{2}$ lb.
Saturday	-	-	Potatoes, $\frac{1}{2}$ lb.
Sunday	-	-	

with one pound of bread and two pints of tea daily.

The pease were made into about a pint of soup, and the results of this diet, moderate in quantity and mixed in quality, were most satisfactory. The general health of the men rapidly improved, with a decline of the ophthalmic and cutaneous disease, especially the latter, which disappeared with a rapidity exceeding my most sanguine expectations. The treatment adopted at this station was entirely dietetic, medicine being entirely dispensed with.

About the same time that this system of diet was commenced, I introduced the use of lime juice into the chief establishment, and found it most beneficial in the treatment of ophthalmia. I then selected fifty of the worst cases of cutaneous disease from the prisoners on the works, and made them attend hospital three times daily, giving them half an ounce of lime juice each time. Under this treatment the disease rapidly disappeared, though they remained on the full prison diet, proving the want of a vegetable acid as an ingredient in its composition. However, as I stated before, the result of my observations has been such as to lead me to attach more importance to the bulk of the diet than the vegetable acid; and as I believe excess of quantity has exercised an injurious influence on the health of the prisoners, a supposition which derives the greatest support from the general healthy appearance of the "hard labour party," and the comparative rarity of ocular and cutaneous disease amongst them. The difference in diet consists of six ounces less bread, four ounces less meat, and no tobacco; and I must say that the average amount of sickness is much less amongst them than amongst the probation prisoners, and their general appearance more healthy, as I have ample opportunities of judging, both from daily observations and from the regular monthly inspections of all classes of prisoners in the establishment, according to the regulations.

The consideration of this important question is considerably aided by instituting a comparison between the health and diet of the military, especially the Royal Sappers and Miners, whose occupation is similar to that of the prisoners; but while the principal elements of their diet are the same, that of the Royal Sappers and Miners is less in quantity and in my opinion vastly inferior in its general nutritive qualities to that of the prisoners generally, including the reduced diet of the "hard labour" and "cell parties." The general health of the military is excellent, and the diseases so prevalent amongst both prisoners and ticket-of-leave men are comparatively unknown amongst them and in fact amongst the population generally; and therefore I feel myself justified in asserting that the diseases so prevalent of late in the establishment, and which there are now no grounds for connecting with atmospheric influence, are diseases resulting from superabundance; bad quality of the food is impossible from the constant vigilance exercised over this important point, and the careful attention paid to it by the Superintendent and prison officers.

For bodies of men, under whatever circumstances they may be placed, I consider a barely sufficient diet as very unadvisable, but at the same time I am far from advising feeding to repletion, a system I believe to be most injurious to health, seriously interfering with physical capacity for mechanical labour, and far from contributing to intellectual development.

I am aware that what I am now writing is at variance with the opinions of those most conversant with prison details; but I must say that I incline to the belief that too much weight is attached to the individual statements and evidence generally of prisoners on this highly important subject, seriously affecting themselves as individuals, and the State as the organ of their support, the development of the pleasing feeling of satiety, or rather repletion, as indicated by mechanical inconvenience, being more taken by them as a test of sufficient diet than the disappearance of the sensation of hunger, which is the proper intimation of the presence in the stomach of the necessary quantity of food for the healthy nutrition of the body, and the retention unimpaired of physical capacity for active employment. It is well known that the continued over supply of food produces a variety of injurious effects; it deranges the digestive functions, and throws upon the organs of excretion much more than the proper amount of labour, laying the foundation

for a complete derangement of health, and giving origin to a variety of diseases, their site depending on the constitutional predisposition of the patient to local derangement. The extraordinary prevalence of constipation,—a prevalence it would be absurd in me to attempt to pourtray in statistical tables,—is a strong evidence that the supply of food is much greater than what is requisite for the repair of the daily waste of the constitution. Food, I need hardly say, is not taken into the system for the purpose of furnishing secreta, but to renew the body; and were it not supplied to the system in considerable excess, none of it would become excreta until after having entered into one or the other tissue of the body. The amount of constipation far exceeds that consistent with health; but in the statistical tables I have only alluded to the cases which required special treatment. An illustration of the extent to which this morbid condition prevails in the establishment, is that the average number of purgative doses administered monthly amounts to three hundred and eighty-five. The average quantity of food required by an adult man exposed to the ordinary vicissitudes of a labourer's life in England, is six pounds, of which from thirty to thirty-six ounces should be non-fluid aliment; but it has been proved that a healthy condition can be kept up on scarcely more than one half of this allowance, if the muscular powers are but little exerted, and the temperature of the air not too low.

The essential elements of probation prisoners diet are as follow :—

	lb.	oz.
Bread	-	1 10
Meat	-	1 0
Potatoes	-	1 0
2 pints tea, weighing	-	2 8
1 pint soup, thickened with oatmeal	-	1 4
Total weight	-	<u>7 6</u>

The meat loses four ounces by cooking and bone, and the potatoes, when boiled, average fourteen ounces, which leaves seven pounds of highly nutritious matter, including fifty-two ounces of solid aliment to be digested in twenty-four hours. The digestion of such a meal, containing exactly one pound more solid aliment than is necessary for the support of a labouring man in England, where the chemical demands of the system for food far exceed those of this temperate climate, must be a severe task to the digestive organs under any circumstances, but peculiarly so, impeded as the process of digestion must be by the sedative effect of tobacco, the use of which is permitted to this class of prisoners. The difference between the diet of the probation prisoners and that of the hard labour and cell parties, is six ounces less bread, four ounces less meat, for the former; and six ounces less bread and six ounces less meat for the latter, and no tobacco for either.

In such a climate as this, either of the above diets are ample for the support of any body of men; and I therefore recommend the adoption of the hard labour diet scale for the probation prisoners on the 1st of November next, when the summer reduction of two ounces of meat takes place. As the hard labour party are employed in much the same way as the probation prisoners, but, as their name implies, their duties are supposed to be of a more onerous nature, I have therefore most strongly to recommend that no distinction should be made between their diet and that of the probation prisoners; for that which enables them to do a day's work, with due regard to their health and physical development, ought to be the diet for the other prisoners; a larger one necessarily implies excess.

Punishment by diminution of diet appears to me inexpedient where productive mechanical labour is desired.

An analysis of the hard labour diet, when reduced into the different meals, with the weight of each, and time for digestion, will be exceedingly instructive, giving an idea of the actual extent and nutritive value.

Breakfast :

	oz.
Bread	8
Tea with $\frac{3}{4}$ of sugar	20
Total weight	<u>28</u>

This forms a mass of considerable volume, and constitutes an ample and nutritious breakfast, for the digestion of which the stomach as but three hours and a half, barely sufficient time, when it has to be ready to receive—

	oz.
Rich soup thickened with oatmeal	20
Cooked meat	8
Potatoes	14
Bread	4
	<u>46</u>

A highly nutritious meal, within two ounces of three pounds in weight, exactly half of what is calculated as necessary for the support of a labouring man in the cold climate of England. This mass cannot properly be digested when twenty-eight more ounces of bread and tea conclude the dietetic process of the day.

It occurs to me that the fact of the tea, soup, and other fluid aliments, being a task on the digestive organs, is not sufficiently attended to in the construction of diets for bodies of men, specially prisoners leading a sedentary life. It has been ascertained from the most recent physiological observations on digestion, that soups and fluids generally are not more readily digested and converted into chyme than solid aliment.

For men morally constituted as the mass of prisoners are, diets ought to be constructed not on principles deduced from what they can eat, nor from the individual opinions of prison authorities on the moral effect of diet, but from physiological data, having essentially in view the preservation of their health, and the maintenance of their efficiency for the different purposes of utility to which their labour is applied by the State. If such a diet as that now in use for the "hard labour party," is sufficient for men actively employed as they are, that for those undergoing solitary confinement and confinement in association is too high, and I would recommend it to be reduced in proportion.

The only difference between it and the hard labour diet is six ounces cooked meat without bone, in place of eight and one third of an ounce of tea daily in place of half an ounce, both differences very immaterial. The same grounds for reduction of diet which, in my opinion, exist in the chief establishment, exist also in the hiring depôts, and the diet therefore is amenable to the same deductions.

I trust I have said enough to draw your serious attention to this important question; and if I have entered too freely into detail, it has been from my anxiety to afford you every information, including my professional data.

The foregoing conclusions are the result of careful and extended observation; and I should be altogether wanting in that proper interest in the sanitary welfare of the prisoners, which it is my duty daily to exert, did I hesitate to urge the necessity for a less ample diet. The pecuniary saving of several thousands per annum which would result from the proposed reductions is not a question which falls under my province for comment and I have only to observe with regard to the financial aspect, that I feel confident that a reduction of diet will lead to an infinitely less consumption of drugs, especially purgative medicine.

Almost every variety of skin disease prevails; and on examining portions of certain forms under the microscope, I have found them to consist of a low form of vegetation; the vegetable parasite belonging to the cryptogamic order, that class of plants which never produce flowers or sexes, but which are multiplied without the aid of sexual intercourse. I have found the microscopic appearance in different forms of eruptions, but especially in that characterized by large crust resembling the scald head of children.

I believe the parasitic vegetation to be the result of abnormal nutrition, originating, as I stated at the commencement of this report, from an excessive quantity of certain kinds of food (bread, rice, &c.) without the necessary supply of fresh vegetables or vegetable acid.

I have the strongest grounds for stating that this large and badly constituted diet leads to fermentation, and the development of a low form of vegetation resembling the yeast plant, which circulates in the blood and becomes ultimately expelled in the form of ophthalmia, cutaneous eruptions, dysentery &c. One of the most common appearances which the evacuations present at the onset of the latter disease is that of copious frothy stools, evidently in a high state of fermentation, and bearing a general resemblance to yeast.

The mode of development of this vegetable is a question of great interest, and one that my time has not yet enabled me to investigate; but from the crude observations I have made, I incline to the opinion that, though the vegetation may undergo a still further development in the current of the circulation, still the germs of the morbid product have been formed in the stomach and absorbed into the current of the circulation in the same way as the ordinary lymph globules are, what ultimately become the red particles of the blood, and the true supporters of animal life. My grounds for forming this opinion are that in a case of dyspepsia accompanied by obstinate vomiting, I found, on microscopic examination of some of the rejected matter, a vegetable formation in every respect resembling that which I have found in the cutaneous eruptions. At first I was inclined to view this as conclusive evidence that the vegetation commenced in the stomach, but on the reflection it occurred to me that there was no proof that the mucous membrane of the stomach might not be the seat of local disease, from nature having selected that surface for the elimination of this product of fermentation, the retention of which in the blood might have become a mechanical impossibility.

The subject is one of very great interest as well as of importance, and it is with much regret that I am unable to give it that attention it requires, involving constant application to the microscope and attendance at the bedside of the patient.

From the statistical tables you will perceive that there have been thirteen fatal cases but of these, only six pertain to the practice of the chief establishment; of the remaining seven one man was killed by the explosion of gunpowder while blasting at Toodyay Green

WESTERN
AUSTRALIA.

Mount, and another a negro labouring under typhoid fever) was landed from the Sea Park convict ship, and died shortly afterwards; the remaining five were admitted more or less in hopeless condition either from convict ships or ticket-of-leave depôts.

Eight men were received into hospital in April last from Port Gregory labouring under scurvy of a very aggravated nature, resulting from the bad food and water at the station. In one of them the vital powers were so depressed at the time of admission that he never rallied, dying shortly afterwards. Under a carefully regulated diet, with a moderate allowance of malt liquor, the others rapidly improved, though their constitutions have received a shock from which they never can completely recover, several of them having lost nearly all their teeth from the inflammation and ulceration of the gums, which is one of the characteristic signs of the disease.

In my last report I recommended the abolition of flannels as part of the prisoners dress, considering their general use as unnecessary in a climate of this kind, and I am happy to say that this has been carried out without the least detriment to their healths, as they have enjoyed extraordinary immunity from that class of complaints (chest affections) over which flannels are supposed to exercise such an important influence.

I have to draw your attention to the necessity which exists for providing the men with a proper supply of stockings, especially before the hot weather sets in. For some time past the majority of the men have had none, and from the irritation of the sand and the exhalations of their feet, unprotected by stockings, there have been a good many of them incapacitated from working for a few days at a time from excoriated feet, and when the summer commences, I have no doubt they will suffer more severely.

The want of a proper protection for the head during the hot summer sun was much felt last season. I frequently witnessed its injurious effects on the prisoners; and if no proper cap has been ordered, I would strongly recommend measures to be taken to procure some efficient covering before the hot weather sets in.

During the summer months, when vegetables are not to be procured, and rice served out in place, I cannot too strongly recommend a moderate allowance of lime juice or some other vegetable acid, for the reasons I have already fully entered into.

I cannot conclude this report without bearing testimony to the cleanliness, ventilation, and admirable general order in which the divisions are kept, and to the excellent arrangement of the kitchen, and the great attention which is invariably paid to the culinary department.

I have the honour to be, Sir,

Your most obedient servant,

(Signed) D. F. RENNIE, M.D., Assistant Surgeon,
Ordnance Medical Department, Surgeon, Convict Establishment.

(Certified true copy.)

E. Y. W. HENDERSON, Comptroller General.

GENERAL STATEMENT of CASES treated in the Hospital of the Convict Establishment,
Fremantle, from January 1 to June 30, 1854.

Cases remaining on December 31, 1853	-	-	88
Admitted between January 1 and June 30, 1854	-	-	1279
Of these were dismissed:—			
Cured	-	-	1236
Relieved	-	-	38
Died	-	-	13
Remaining under treatment, June 30	-	-	80
Total under treatment during the half year	-	-	1367

OF CONVICT DISCIPLINE AND TRANSPORTATION. 135

GENERAL ABSTRACT OF DISEASES.

WESTERN
AUSTRALIA.

Diseases.	Remaining under Treatment 31st Dec. 1853.	Since-ad- mitted.	Total treated.	In Hos- pital.	Out of Hos- pital.	Cured.	Re- lieved.	Died.	Remaining under Treatment 30th June 1854.
Fevers - -	11	93	104	36	68	101	1	1	1
Nervous system -	7	73	80	19	61	68	6	1	5
Organs of respiration -	9	49	58	29	29	45	8	4	1
Circulation, organs of	1	9	10	4	6	5	3	1	1
Digestion do. -	10	408	418	71	347	407	4	3	4
Urinary apparatus -	2	21	23	12	11	20	2	—	1
Integumentary system	11	180	191	36	155	166	—	1	24
Eye - - -	25	270	295	174	121	256	5	—	34
Ear - - -	1	24	25	9	16	22	2	—	1
Nose and mouth -	0	3	3	2	1	3	—	—	—
Rectum and anus -	1	10	11	8	3	11	—	—	—
Osseous system -	2	8	10	6	4	2	4	—	4
Ulcers and abscesses -	2	69	71	19	52	67	1	—	3
Tumours - -	1	2	3	3	—	2	1	—	—
External injuries -	4	45	49	19	30	48	—	1	—
Miscellaneous -	1	15	16	13	3	13	1	1	1
	88	1,279	1,367	460	907	1,236	38	13	80

No. 12.

OBSERVATIONS of the Principal Medical Officer on the Surgeon's half-yearly Report.

SIR, Perth, November 16, 1854.

1st August 1854.
See page 24.

IN returning you the report drawn up by the surgeon of the Convict Establishment for the half year ending 30th June last, I have the honour to submit to you a few observations thereon.

The bulk of this report is composed of the exposition of a theory that the diseases which have been most prevalent during the six months, viz., affections of the bowels, skin, and eyes, are identical in their nature, and depend on the same constitutional cause, and that this cause is an excess of fermentive matter in the blood resulting from an over quantity of certain kinds of food, viz., bread and rice, with an insufficient supply of vegetables or vegetable acid.

I shall not take up your time by an examination of Dr. Rennie's theory of the identity of the diseases mentioned, as this would necessitate a reference to professional details and the employment of technical phraseology, which I am sure you would willingly excuse. I may remark, however, that in my opinion the few facts adduced form by far too narrow a foundation for the support of such a comprehensive explanation of the actual nature of disease as Dr. Rennie aims at.

The portion of the report which practically deserves most attention is that devoted to an attempt to show that the present scale of diet for the inmates of the Convict Establishment is faulty, chiefly from excess of quantity, partly also from its affording an insufficient supply of vegetables.

I regret that the report referring to a period anterior to the date of my entering on the duties of Principal Medical Officer, I am unable to call in the aid of my own personal observation, but I think that a dispassionate perusal of the document in question must lead to the impression that Dr. Rennie allows himself to be carried away by over-fondness for theorizing, and is at the same time apt to mistake assertion for proof.

Ophthalmia, the disease principally treated of, is shown to have appeared in December, increased during January and February, at the latter end of which it reached an alarming extent, and became even more virulent during March and April.

It seems to me that the rise and progress of this disease (and the same may be predicated of dysentery) are much more reasonably attributable to the season of the year, when it usually prevails more or less among the free population of the colony, and to external grievances, than to faulty diet, which was actually improved in the very points objected to by Dr. Rennie by a Board, which, in the beginning of January, recommended a scale of diet containing a reduction in the quantity of bread and rice, and recommending greater variation in the diet, which scale was approved of and acted on.

If faulty diet were the cause of the principal diseases referred to, they should have continued to manifest themselves in undiminished and, according to Dr. Rennie's theory, in increased force. The disease on the contrary diminished in violence and frequency of occurrence during the winter months.

The existence of a cause of disease in the shape of an excess of fermentive matter in the blood, resulting from the use of excessive quantities of bread and rice, is mere hypothesis; neither do I attach much weight to the microscopic observations which are recorded, for although the microscope has been of no little aid in the advancement of medical science, it has on the other hand led to many hasty conclusions and no small amount of false reasoning.

That changing and diminishing the diet of parties of the sick men, with addition of lime juice, produced an improvement in their health, is no proof that the original diet was faulty. It may as well be assumed that all known diseases spring from faulty diet, for at all times the regulation, and most frequently the reduction, of the patient's diet forms a most essential part of his medical treatment.

The comparison between the sappers and prisoners is hardly fair. The fitness of a recruit for the service is decided by his possession of a good physical configuration and of apparent sound health. The class of convicts is supplied from men whose constitutions are too often broken by deteriorating causes, both moral and physical, and who continue to labour under the depressing influence of a sense of bondage. In the case of the latter an invigorating diet is more essential for the maintenance of health than in that of the former.

Diseases such as have prevailed in the Convict Establishment are such as might be expected to be common among an associated body of men of the class of which the prisoners is composed.

I do not agree with Dr. Rennie in casting aside the experiences obtained in other penal establishments.

I confess that when I sat as a member of the Board above referred to, I was inclined to consider the allowance of bread too large; but in comparing the dietary of other prisons, and finding the allowance of bread for first-class prisoners ranging in some of them as high as 27 oz. daily, I concurred with the other members of the Board in fixing it at 26 oz. I was previously aware that some experiments which had been instituted at home in reducing the diet of prisoners confined for lengthened periods, had led to unfavourable results.

The winter allowance of meat for probation prisoners in this colony is higher than at home, viz., between 8 and 9 oz. of cooked meat without bone.

Dr. Rennie, in his evidence before the Board, proposed 10 oz. of cooked meat without bone as the winter allowance; 1 lb. of potatoes to each man is given whenever that vegetable is procurable. That a better supply of fresh vegetables is a desirable object may well be granted, but the difficulty, nay, the impossibility, of obtaining such a supply under existing circumstances in Western Australia is apparent to all.

Altogether the daily ration seems to me a fair, I will say an ample allowance of food for prisoners from whom a fair day's work is exacted, and who may be kept in prison for lengthened periods.

Finally, I cannot agree with Dr. Rennie that he has brought forward conclusive evidence that the present diet of probation prisoners errs in excess, and I conceive that more extended observation would be required before acceding to his proposal to reduce it to the scale now in use for the hard labour party.

I have, &c.

(Signed) GEORGE F. GALBRAITH, M.D.
Staff Surgeon, P.M.O.

(Certified true copy.)

E. Y. W. HENDERSON, Comptroller General.

No. 13.

REGULATIONS for the Guidance of the OFFICERS and MANAGEMENT of the Men at Ticket-of-Leave Depôts.

The Visiting Magistrate.

1. The Visiting Magistrate will visit the dépôt under his magisterial care once a day, or oftener if necessary; and in addition to his magisterial duties, he is frequently to visit the barracks and the men whilst at work.

2. When the Visiting Magistrate has charge of two or more parties of men, he will make these visits at least twice in each week and oftener if necessary.

3. The following books are to be kept at each station, viz :

1. Visiting Book.
2. Magisterial Sentence Book.
3. Order Book.

In the Visiting Book each visit made by the magistrate is to be entered, the state of the men and the dépôt generally, every irregularity on the part of the officers of the dépôt, or any want of diligence in the performance of their duties which may be brought under his view or within his knowledge.

4. In the Visiting Book also will be recorded any deficiency in stores, clothing, or barrack furniture, or any other want which he may notice.

5. The Visiting Magistrate will on the 1st of each Month inspect all the buildings, and will enter in the Visiting Book a report of their cleanliness or otherwise, state of repair, &c.; the general state and behaviour of the men under his magisterial care, with any suggestions which may strike him as likely to improve their position. All complaints by one officer against another, and all irregularities, will be entered in the Visiting Book at the period of the monthly inspection.

6. A copy of the Visiting Book is to be made by the Dépôt Clerk, and forwarded weekly to the Comptroller General, certified by the Visiting Magistrate and the officer in charge of the dépôt.

7. In the Magisterial Sentence Book will be entered all offences brought before the Visiting Magistrate, and a record of the proceedings and sentence entered therein, and a copy thereof transmitted weekly to the Comptroller General's Office.

8. In the Order Book all orders given by the Visiting Magistrate on any subject whatever are to be entered; no order is to be verbally given; and it is to be distinctly understood that the Visiting Magistrate has no power to give any orders to the officers or ticket-of-leave men, except through the senior assistant superintendent or officer in charge of the dépôt.

9. A copy of the Order Book is also to be transmitted to the Comptroller General duly certified.

10. All communications received by the senior assistant superintendent or officer in charge of the dépôt, from the Comptroller General's Office, will be open to the inspection of the Visiting Magistrate.

11. The Visiting Magistrate should make himself acquainted with the various books, records, and returns required to be kept and made by the superintendents, and should satisfy himself at the monthly inspections that they are correctly kept.

12. The Visiting Magistrate is not required to interfere in any way with the interior and moral discipline of the station; these the senior assistant superintendent is specially responsible for. His chief duty, and indeed the main object of his appointment, is to ascertain that the orders relative to the conduct of the men are fully and honestly complied with, that moral and religious instruction is regularly imparted as far as circumstances will permit, that no man is employed in any situation contrary to the regulations, that the men are advised and admonished and in fact tutored by those under whose charge they are placed, in fine that the spirit of the instructions under which the system is conducted, is fully carried out, and each of these points he will carefully notice in his monthly report.

13. The Visiting Magistrate will attend to any complaints made by the senior assistant superintendent against the men, and punish them either by fine or imprisonment as he may see fit, according to the nature and degree of the offence, having due regard for the previous character and conduct of the offender.

14. The convict law being severe in operation, care should be taken to study the temper and disposition of the men to be punished, for it is obvious that the same description of punishment inflicted upon men of different dispositions and understandings will not be of equal effect, and a marked distinction should be drawn between offences of a criminal nature and those against discipline; and generally short sentences promptly and well carried out will be found most effective.

15. The duties of the Visiting Magistrate will be confined strictly to those of a magistrate,—the execution of all orders, the care and custody of men, and the arrangements of the dépôt being vested in the superintendents and their subordinates. It is the duty of the Visiting Magistrate to see that all orders and regulations are faithfully obeyed.

The SENIOR ASSISTANT SUPERINTENDENTS or OFFICERS in charge of Hiring Dépôts.

1. The general charge of the station is vested in this officer, he is responsible for the discipline, management, and safe custody of the men; and accountable for the stores placed in his charge.

2. The introduction and maintenance of industry, order, cleanliness, and obedience are the peculiar duties of this office.

3. At those stations where the erection and repair of public works generally are placed in the immediate charge of the Royal Engineer Department, the superintendent must be strictly governed by the instructions of the Engineer Department in respect to the execution of all works on the station, placing at the disposal of the officer (a non-commissioned officer of the Royal Sappers and Miners) in charge of the works all the labour at his disposal, after providing for the proper discharge of the station duties, and not exercising any interference with their disposal on the public works; but on the superintendent and his officers devolves the responsibility of seeing that the men are kept steadily at their work. If the superintendent is of opinion that the labour of the men is not properly appropriated, or that the works are not being proceeded with in the order which the demands of the service require, he is to report accordingly to the Comptroller General, but all unnecessary or undue interference or reports are to be carefully avoided.

4. At those stations where the works in progress are in the immediate charge of the superintendent, he will be held responsible for their execution in the manner and according to the order communicated to him by the Comptroller General; he will be careful that the labour of the parties is carefully and properly distributed, and that taskwork, as far as possible, is impartially enforced.

5. Strict obedience to the order of the senior assistant superintendent or officer in charge is to be paid by all the officers attached to the station, any disobedience or disrespect will be severely dealt with.

6. The senior assistant superintendent will see that all the officers of the station under his charge perform their duties in strict accordance with these revised orders, and make such reports to the Comptroller General as may be necessary. When a chief superintendent is appointed, such reports as are of a disciplinary nature will be made through him.

7. He is not to allow harsh or reproachful language to be used by any person in authority; calmness and firmness best ensure obedience.

8. He will have power to inquire into and determine all complaints touching disobedience of any of the regulations for the cleanliness, order, and management of the men. Assaults where no dangerous wound or bruise is given; profane swearing, riotous or disorderly conduct, or indecent language or behaviour; such offences he may punish by ordering any offender to close confinement in a cell, and by keeping such offender upon bread and water only for three days, or by inflicting such fines as may be from time to time approved, as well as for absence from work or from the dépôt, or from divine service on Sundays; but no such punishment shall take effect until after due inquiry into the alleged offence, and the minutes of the same duly recorded, neither shall he delegate his authority in these matters to any other person; and no punishments or privations of any kind shall be awarded but by himself or the Visiting Magistrate or the chief superintendent. Those men upon whom advice and admonition as well as minor punishments have been thrown away are to be brought before the Visiting Magistrate.

10. Every offence for which a man is brought before a magistrate is to be carefully and correctly entered in the Occurrence Book.

11. All the books in the custody of the senior assistant superintendent are to be kept strictly private; but will be of course open to the inspection of the Visiting Magistrate or the chief superintendent.

12. The following books are to be kept at each station, viz.:

1. Occurrence Book.
2. Receipt and Issue of Stores.
3. Letter Book.
4. Return Book.
5. Account Book.

13. In the Occurrence Book are to be entered all offences, and the punishments awarded, all engagements made by ticket-of-leave men from the dépôt, all deaths, names of men joining the station, visits to the station by night by the superintendents or subordinate officers, visits of the Visiting Magistrate or other superior authority, and any occurrence of an unusual or extraordinary nature. The visits of the medical officer will also be entered in this book.

14. A copy of the occurrence book is to be forwarded weekly to the Comptroller General's Office.

15. The senior assistant superintendent is responsible for the correct issue of stores and provisions, that no improper appropriation of them by any officer is permitted, that the surplus is invariably carried to the credit of the Government, and that no article is issued out of the Government stores to any person whatever; he is also responsible for the correct preparation and rendering of the ration and other returns required by the Commissariat Department.

16. The receipt and issue of all stores are to be correctly and carefully entered in the book provided for that purpose.

17. All letters sent to the Comptroller General's Office are to be entered in the Letter book.

18. All returns sent from the station to the Comptroller General's Office are to be duly entered in the Return Book.

19. An account must be opened with each man joining the station, showing, on one side his private account of private cash and earnings and its expenditure, and on the other his account of earnings on the public works, and on leaving the station his account must be closed and signed by him as correct.

30. The following returns are required to be sent weekly on the prescribed forms:

1. Distribution return.
2. Pay sheets.
3. Engagement return.
4. Return of men joining the dépôt.
5. Sick return.
6. Expenditure of private cash and earnings.
7. Description and value of work performed.
8. Copy of Visiting Magistrate's Book.
9. Copy of Occurrence Book.
11. Copy of Magisterial Sentence Book.
10. Copy of Magistrate's Order Book.

21. The senior assistant superintendent is responsible that these returns are correctly and clearly made out, and sent regularly by post to the Comptroller General's Office; particular attention is to be paid to the proper docketing of each return, and the Reg. No. as well as the name of ticket-of-leave men being correctly given.

22. All representations or applications either from the officers or men made to the Comptroller General must be forwarded through the senior assistant superintendent to the chief superintendent when appointed, who will accompany them with such observations as he may think necessary.

23. Leave of absence can only be granted by the Comptroller General, and it will be so on occasions of real emergency; but any subordinate officer desirous of leaving the station on business, the urgent nature of which does not admit of an application to the Comptroller General, must obtain the written leave of the senior assistant superintendent, and the nature of the urgent business, and that arrangements have been made for the discharge of the officer's duties during his absence, must be reported to the Comptroller General.

24. No officer is allowed on any pretext whatever to absent himself from his station without permission in writing from the senior assistant superintendent, who will at once report any officer absent without leave, and if necessary suspend him from his duties until the Governor's pleasure be known.

25. He will report to the Comptroller General the date on which every newly appointed officer commences his duties.

26. No officer will be allowed a servant from among the ticket-of-leave men on Government pay except by special authority, but mechanics are not to be employed as officers' servants in any case. No infringement of this rule on any pretext is to be permitted.

27. The Sunday must be kept holy, and as a day of rest. Wherever a clergyman does not attend the station on that day the senior assistant superintendent will invariably read service to the men in the morning.

28. The whole of the officers, except those actually on duty, must attend divine service with the men.

29. Any man who is a Jew is not to be compelled to labour on his Sabbath, but may be employed on any necessary station duty on the Christian Sabbath.

30. The strictest attention is to be paid to the cleanliness of the dépôt, all the buildings attached to it, and the routine of station duty, as laid down in these revised orders, rigidly carried out.

31. The senior assistant superintendent will use his best endeavours on all occasions to secure the cordial co-operation of the Visiting Magistrate, Chaplain, Medical Officer, and all the subordinate officers, in the execution of their several duties, in order that by their united exertions the service may be performed in the most efficient manner possible.

32. He will be careful to treat the ticket-of-leave holders on the public works firmly but mildly, and allow no unnecessary harshness to be used towards them by the officers under his command.

33. The rates of pay allowed to men on the public works will be regulated from time to time under the authority of the Governor.

34. No pay will be allowed on Sundays except to men actually employed as constables, cooks, clerks, &c., and such as may be specially authorized.

35. A certain proportion of the best conducted men will be appointed as constables, for the purpose of acting as watchmen, assisting the superintendent in maintaining order and regularity, and performing such duties as may be allotted to them these men will be allowed a small extra rate of pay and privileges as regards leave of absence, but no constable is to be appointed except on the authority of the Comptroller General.

36. An account of the private cash and earnings of every man sent to a hiring dépôt will be furnished to the superintendent, and should any portion thereof be required by the men while at the station, it will be paid to him by the superintendent, provided he is satisfied it is for the purchase of absolute necessities, and that the money is properly expended. When the man leaves the station to enter private service, the whole of the amount of his balance is to be paid to him, but it is desirable that the men while in dépôt should have as little cash as possible.

37. The following returns are required monthly:

1. Nominal return of the men.
2. Return of officers.
3. Monthly synopsis and report of works in progress.

38. The report of works in progress is to be furnished by the senior assistant superintendents at those stations not in immediate charge of the Royal Engineer Department.

39. The senior assistant superintendent must devote the whole of his time and energies to the performance of his duties; he must never absent himself without permission, and should frequently visit the dépôt and works in progress. He will also at uncertain times visit the dépôt at night, and enter such visits in the Occurrence Book.

ASSISTANT SUPERINTENDENT.

1. The assistant superintendent is next in rank to the senior assistant superintendent, under whose orders he will perform his station duties, and in the absence of the senior assistant superintendent, or at those stations where no such officer is appointed, the assistant superintendent will have charge of the station.

2. When the assistant superintendent has charge of a station, his duties will be precisely those of the senior assistant superintendent, and he will have the same powers.

3. The assistant superintendent will see that the flour and meat are issued daily, always be present when the rations are given out of store, and must take care that the men are provided with all article of provisions of good and wholesome quality according to the contract.

4. He will attend at all parades, inspect the barracks daily and report as to their cleanliness; he will frequently visit the men on the works and see that they are orderly and industrious, and during every evening he is to visit the men, and see that they are quiet and orderly.

5. He will assist the senior assistant superintendent in carrying out the details of station duty, and see that the subordinate officers and constables attend strictly to their duty.

6. The depôt is to be visited at least once every night at uncertain hours by the assistant superintendent and instructing warders (where they perform discipline duties), and warders in rotation. Where there are sufficient officers these visits are to be made twice in the night; the time of such visits and their results to be entered in the Occurrence Book by the officer making them.

Overseers in charge of Road Parties.

1. As far as possible the routine of order, cleanliness, and discipline prescribed for depôts is to be observed among road parties, and overseers are held responsible that the men are not permitted to degenerate into dirty and irregular habits; the bedding is always to be carefully folded every morning, the mess utensils kept properly cleaned and arranged, and the tents or bushhouses kept clean and tidy; neglect of these duties will render an overseer liable to be dismissed from his situation.

2. Overseers in charge of road parties are held responsible for the proper performance of the works entrusted to them; it will be their duty to see that the men are properly placed at their work, that the regular hours for work are observed, that the men are orderly and industrious, and that taskwork is enforced wherever practicable.

3. Wherever an instructing warder of the Royal Sappers and Miners is attached to a road party, he will be responsible for the public works, and the duties of the overseer will be confined to those laid down for the senior assistant superintendents (paragraph 3).

4. One or two constables will be attached to each road party, as at a depôt, to assist in maintaining order, cleanliness, and regularity.

5. When no instructing warder is attached to a road party, the overseer will be responsible for the works, which he will carry out in strict accordance with the orders he may receive from the Royal Engineer Department, to whom he will furnish such returns as they may require.

Instructing Warders.

1. The senior instructing warder will have charge of the works, and be responsible that they are carried out strictly in accordance with the orders he may receive from the officer of engineers in charge of the district; he will be also responsible for the correct rates of pay of men on the public works, and that no unauthorized works are undertaken.

2. The instructing warder will be responsible that the labour of the men is properly distributed. In the event of a discipline warder being on the works, he will assist him in maintaining order and industry among the men, and at once bring under notice any irregularity or idleness among the men.

3. He will be careful that the required returns of the works are properly made out and regularly transmitted.

4. Instructing warders employed on duty on Sundays will receive pay when so employed on station duties; they will at all times pay proper respect and attention to the officer in charge of the depot, and assist him in maintaining order and regularity.

Warders.

1. The principal duties of these officers will be to ascertain by personal supervision that the detail duties of the depot are properly performed, to maintain order and regularity among the men, to be present at all parades when detailed for duty, to assist their superior officers in the performance of their duties, and to see that the constables, cooks, and orderlies perform their respective duties.

2. It will be also their duty, as may be directed by the officer in charge, to accompany the men to their work, or to visit the different parties.

3. They are to receive all instructions through the superintendent or assistant superintendent, and to pay strict attention to their duties, and not on any account to absent themselves from the station without permission.

4. When a warder is in charge of the works at a station or road party, he will implicitly conform to the orders he may receive from the Royal Engineer Department, and furnish the returns required.

Constables.

1. A selection will be made of the best conducted and most efficient men among the ticket-of-leave men, who will be eligible to serve as constables, to whom when so employed the following rates of pay will be allowed :

	s.	d.	
3 month's service - - -	1	0	per diem.
3 and less than 6 - - -	1	3	"
6 and less than 12 - - -	1	6	"
12 and less than 24 - - -	2	0	"
After 24 - - -	2	6	"

2. Promotion however will not depend solely on length of service, but each case must be specially reported on by the senior assistant superintendent, and the promotion will not be granted unless the conduct and abilities of the constable fully entitled him to it.

3. Constables who perform their duties well and faithfully will be recommended to the Governor after eighteen months service, as eligible for appointments in the police force of this colony.

4. They will assist the officer in charge of the dépôt in maintaining order, regularity, and cleanliness in the dépôt, accompany the working parties to and from their work, and remain with them while on the works, and faithfully perform whatever duties are allotted them by the officer in charge.

5. The bakers and cooks will be made constables at dépôts when so recommended, and the proportion of constables at each station will be regulated by the number of men and the requirements of the service, on which points reports are to be made from time to time by the superintendents.

General Routine.

1. The first bell in the morning will be rung half an hour before the time specified in the regulations for the men to go to work, when the men must rise immediately and fold their bedding neatly, except on the mornings when it is to be aired, which should be done at least twice a week.

2. The warder or constable on duty will see that the men wash themselves properly before going to work.

3. When the second bell rings the men will fall in according to their working parties, regularly formed up behind each other, and no unnecessary noise or talking is to be allowed.

4. Each party should as far as possible be accompanied either by an instructing or discipline warder, or by a constable.

5. Short prayers will be read by the senior assistant or assistant superintendent either before going to work in the morning, or at breakfast time, as may be most convenient.

6. Two cleaners will be allowed to each dépôt. Immediately that the men are marched off to work the dépôt is to be swept out, the tables and forms scoured, the bedding neatly arranged on the racks, the mess utensils and books neatly arranged on the tables and shelves.

7. One of the constables will be placed in charge, and held accountable for the correct arrangement of the mess utensils, and the cleanliness of the dépôt.

8. When the cleaners have finished the depot, they will be employed sweeping the yards, cleaning lamps, and keeping the station in order.

9. The bell is to ring five minutes before the hour appointed for leaving off work, to enable parties at a distance to reach the dépôt.

10. An officer in rotation will attend at each meal to say grace, and to ascertain that all the men are present, and the rations properly supplied, and no disorder or unnecessary noise is to be allowed.

11. At those stations where bread is not supplied by contract, a baker is to be appointed from among the men, to whom a small extra rate of pay will be allowed.

12. He will have charge of the flour and yeast for the purpose of baking, for which he will be held accountable.

13. He will see that the bakehouse, baking utensils, tables, &c. are at all times kept thoroughly clean, and the utensils in his charge neatly arranged in their proper places.

14. The chief cook will be held responsible that the rations committed to his charge are properly and cleanly cooked, and distributed according to the directions he receives.

15. He will be required to have the cookhouse, cooking utensils, tables, kits, and pails properly cleaned, and neatly arranged in their proper places, and will be allowed a small extra rate of pay.

16. The cookhouse and bakehouse will be inspected every evening by the assistant superintendent or warden on duty.

17. After the hours appointed for work, those men to whom the senior assistant superintendent or officer in charge has granted passes will be permitted to leave the dépôt.

18. Senior assistant superintendents and officers in charge of stations should endeavour as far as possible, in conjunction with the visiting chaplain, to encourage the men in rational amusements during their leisure hours, the delivery of lectures by one of themselves has been found of great service; there is also no objection to the acting of plays by the men, subject to approval, and where practicable manly sports and games should also be encouraged.

By command.

E. Y. W. HENDERSON,
Comptroller General.

No. 14.

REGULATIONS for the PAYMENT of TICKET-OF-LEAVE MEN on the Public Works.

1. Prisoners on obtaining tickets of leave will be sent to such dépôt as his Excellency may direct, and be employed on the public works on pay.

2. No ticket-of-leave holder is to be admitted to any dépôt without an order from the Comptroller General, the Visiting or Resident Magistrate, or in Perth and Fremantle from the Police Magistrate, and in the case of men returned to dépôt from private service, they are not to be placed on pay except on the certificate of the Visiting Magistrate and officer in charge of the dépôt, that they cannot obtain employment in private service, and that the cause arises from no fault of their own.

3. Ticket-of-leave men refusing, without good grounds, any offer of private service which may be deemed by the Visiting Magistrate fair and reasonable, are to be considered as forfeiting their claim to their tickets of leave, and at the discretion of the Visiting Magistrate, to be returned to the convict prison at Fremantle.

4. Ticket-of-leave men returned to dépôt for misconduct are not to receive pay on the public works.

5. The following rates of pay are approved by his Excellency, subject in all cases to the discretion of the officer in charge of the works, to reduction for idleness or inattention; and in all cases the pay lists will be paid only on the certificate of the officer in charge of the works that they are made up in accordance with the regulations, and that any extra amounts have been fairly earned by taskwork.

Mechanics from 8*d.* to 3*s.* 6*d.*

Any higher rates must be specially reported; and as a general rule, and except in cases of really good workmen, or those whom it is desirable to retain on the works, the scale of pay should range from 10*d.* to 2*s.* per diem; labourers 6½*d.* per diem, which may be increased by taskwork.

6. Whenever taskwork is practicable, it is to be enforced, the principle on which it is to be arranged being that a full and fair day's work is to be exacted from the regulated amount of daily pay, and that men by extra exertion and industry may be allowed to earn a sum not exceeding one half more or thereabouts, in no case to exceed 1*s.* 3*d.* unless specially authorized. Taskwork to be regulated accordingly by the officer in charge.

7. Men working in the water are allowed in all cases a half day's extra pay.

8. Ticket-of-leave clerks are allowed from 1*s.* to 3*s.* per diem according to skill ability and length of service, on the recommendation of the officer in whose office they are employed.

9. Constables will be allowed the following rates of pay:—

3 months service	-	-	-	1 <i>s.</i> per diem.
3 and less than 6 do.	-	-	-	1 <i>s.</i> 3 <i>d.</i> „
6 and less than 12 do.	-	-	-	1 <i>s.</i> 6 <i>d.</i> „
12 and less than 24 do.	-	-	-	2 <i>s.</i> „
After 24	-	-	-	2 <i>s.</i> 6 <i>d.</i> „

10. Constables will not be entitled to these increases for length of service only, but each case is to be specially reported on; and it is to be distinctly understood that the above rate is the maximum for the best and most efficient men, and that all whose qualifications do not reach that standard should be recommended for a more moderate increase.

11. The pay sheets are to be made out on the forms directed in Department Order No. 9, April 26, 1854; clerks, station men, commissariat carters and storemen, &c. being placed first, and certified by the superintendent or officer in charge; next, the mechanics, and then the labourers.

12. Each pay sheet should show the employment of the men the same as that now furnished only to the Comptroller General's Office.

13. The pay sheet furnished to the Comptroller General's Office need not be signed by the men, whose signature is only required to those furnished to the commissariat.

14. No ticket-of-leave man will be allowed, except in special cases, to receive more than 4*d.* per diem in cash for the purchase of clothing and necessaries; the whole of the balance is to be carried to his passage account until that is paid.

15. Any ticket-of-leave holder who has paid the full amount of his passage money, if placed on pay according to paragraphs 2 and 3, will be entitled to the full rate of pay allowed, of which a sum not exceeding 4*d.* per diem will be paid to him in cash for the purchase of necessaries, and the remainder carried to his credit and paid to him on leaving the *depôt* either to enter service or with a conditional pardon.

16. An exception to this rule will be allowed in the case of constables, carters employed by the commissariat, brickmakers, mechanics, and such men, as it may be desirable to retain on the public works.

17. All works undertaken by ticket-of-leave labour paid from convict funds are to be authorized by his Excellency in general duties, and each pay list is to be abstracted on the back, showing the general duty to which the amounts making up the total of the pay list are chargeable.

18. In case of any emergent work not authorized in general duties being necessary, it must be specially reported, in order that a general duty may be obtained therefor.

19. Cooks, bakers, and orderlies will be entitled to the same rate of pay earned by men on taskwork, provided their conduct is in every way satisfactory, but not to exceed under any circumstances one shilling.

20. Men employed on jobwork, or work that cannot be measured, will be entitled to such rate of pay, not exceeding the rate of taskwork, as they may be adjudged by the officer in charge of the works.

21. One night constable will be allowed to each *depôt*, who will be entitled to 3*d.* per diem above the rates allowed to constables generally.

22. Hospital orderlies will be allowed 8*d.* to 1*s.* 2*d.* per diem, carters and store labourers employed for commissariat purposes to be included in the *depôt* pay lists for one shilling a day.

23. Men on pass or on the sick list are not allowed pay except in special cases, to be separately reported, as laid down in department orders.

By command.

E. Y. W. HENDERSON,
Comptroller General.

ADDITIONAL REGULATIONS for TICKET-OF-LEAVE HOLDERS in *Depôt* employed on Public Works.

1. No man will be allowed pay on the public works unless he produces a character from his last employer for honesty and sobriety, and that he is discharged for no fault of his own.

2. Men on public works are subject to the general regulations for ticket-of-leave holders, so far as they do not interfere with the special rules issued by command of his Excellency, but they are not allowed to introduce wine, spirits, or other fermented liquors either on the works or into the premises occupied as a *depôt* or station, and any infringement of this rule will involve a forfeiture of ticket of leave during the pleasure of his Excellency.

3. No man will be allowed a pass except on the recommendation of the officer in charge of the *depôt* or station to which he belongs.

4. All applications for such passes are to be made to the officer in charge, who will fill in the pass, and write his recommendation on the back, when it will be taken by the applicant to the magistrate for signature; without such recommendation no pass will be granted, but no pass for Albany is to be given except by the Comptroller General.

By command.

E. Y. W. HENDERSON,
Comptroller General.

No. 15.

HALF-YEARLY Report on the Works in Fremantle District from 1st January to 30th June 1854.

Royal Engineer's Office,
Fremantle, July 15, 1854.

SIR, I HAVE the honour to report upon the works carried on under my superintendence during the six months ending 30th June 1854, as follows:—

Limekiln.—The whole of the lime for the works and for cleansing purposes in the prison has been burnt, and delivered at the average rate of 6*d.* per bushel. Sapper superintendence, prison labourers.

New Prison.—The masonry of one half of this building will shortly be completed.

The floors and gallery joists are built in, and the naking flooring of the associated room is laid. Sapper superintendence; sapper, free, and prisoner mechanics; prisoner labourers.

The want of long scaffold poles has materially delayed the progress of the building, none having been brought into the market for a length of time.

Quarries.—The quarries have supplied the stone for the works in progress; the rubbish has been disposed of in improving the main approach to the prison and in making William Street, and Essex Street, the two main lines of communication between the prison and the town. Sapper superintendence, prisoner labourers.

Smiths and Carpenters Shops.—The smiths and joiners work for the different buildings has been prepared in the shops.

A large quantity of furniture has been turned out.

*The Tools, Carts, and Waggon*s have also been repaired and new ones built.

The composition nails for the jetty and some iron cart boxes, &c., have been cast. Sapper superintendence; sapper and prisoner smiths; sapper, free, and prisoner mechanics; prisoner labourers.

Sawpits.—The sawyers have kept the works well supplied with timber. Sapper superintendence, sapper and prisoner sawyers.

Incidental Repairs have been done as required.

Cliffe Street Jetty.—This pile jetty has been carried out to the distance intended, 216 feet: width at commencement 22 feet, 34 feet long; width in waist 11 feet, and 146 feet long; width at head 24 feet, and 36 feet long, with a landing stage for the river steamer, 24 feet long and 4 feet wide, at a lower level, viz, 2' 6" above high water, and a step ladder communicating therewith.

A substantial railing of sawn timber is fixed on each side.

The object of the jetty is to afford a landing place for the river steamer, which is to be shortly ready, and for cargo and passage boats.

The work has been exposed to the wash of the sea during several heavy gales, and shows no sign of weakness. Sapper superintendence, sapper and prisoner mechanics, prisoner labourers.

Wall in front of Prisoners Barracks.—This wall has been completed to the level of the parade, and is a very great improvement to the appearance of the barrack, and a good parade is also obtained. Sapper superintendence, prisoner mechanics, prisoner labourers.

Punishment Cells.—This building containing 12 solitary light cells and 6 solitary dark cells with double doors to each, opening into a corridor 8 feet wide, has been completed, except the small amount of carpenters and joiners work, which is in preparation.

The cells are arched, arches loaded with well grouted masonry, and formed in gutters and ridges, which are plastered.

On this there is a layer of dry clean broken stone, which is formed into a ridge over the corridor, and this is again concreted and plastered.

No sound can be communicated from one cell to another.

The corridor is lighted by a lantern 8 feet square.

The building is surrounded by a wall 11 feet high at a clear distance of 25 feet, which is about one third finished. Sapper superintendence, sapper and free mechanics, prisoner labourers.

WORKS COMMENCED.

New Prison, Military Guard Room.—This building, at the north side of the inner gate of the prison (capable of containing a guard of 24 men), with a yard and privy, has been finished.

The north wall of the outer yard is also finished 50 feet long 15 feet high. Sapper superintendence; sapper, free, and prisoner mechanics; prisoner labourers.

Warder's Guard.—This is a building corresponding to the last on the opposite side of the inner gate, and finished in every way similar, except that the yard and privy have not been enclosed, as the space around the carpenter's shop would be too much cramped by it. Sapper superintendence; sapper, free, and prisoner mechanics; prisoner labourers.

Entrance Buildings.—The buildings on each side of the front main gate have been commenced. They are to afford accommodation for the deputy superintendent and for the porter. Sapper superintendence; sapper, free, and prisoner mechanics; prisoner labourers.

Jetty in South Bay.—This is a jetty undertaken by the colonial government with convict labour, and is constructed of piers of piles 5 in each pier, mortised into a cap sill and braced.

The piers are 12 feet apart in the clear and the piles are driven about 7 feet into solid rock.

The superstructure is composed of joists caulked and spiked down to the caps, the piers being tied together by long joists running over two bays and breaking joint.

The flooring is spiked down to the joists with composition nails.

This jetty is in a very exposed situation, receiving the roll of the sea from the Indian Ocean during the north-west-gales, which are very heavy in the winter months.

The direction of the jetty is therefore as near as possible south-west.

Its object is to allow boats drawing 6 feet water to discharge their cargoes without having recourse to the flat boats now in use.

It will be 455 feet long and 22 feet wide, with a head sufficiently large to allow three boats to discharge at once.

41 piles are driven about one fifth, and the carpenters bring on the superstructure as soon as the piers are ready, so as to tie the work at once together.

There have been several heavy gales since its commencement and no sign of weakness. Sapper superintendence; free carpenters paid by the colony; prisoner labourers.

Sentry Boxes and Lamps.—4 sentry boxes and 12 lamps and posts have been made for the outside of the temporary prison.

Boats.—The flat and boat in charge of the commissariat, for passage of the river at North Fremantle, have both undergone considerable repair, as also the water police whale boat.

Convict Ship's Fittings.—The fittings on board the "Sea Park" have been taken down and the material applied to the works as far as possible. Sapper mechanics.

A barricade on the quarter deck of the "Hamlet," proceeding to Albany with ticket-of-leave holders, was also put up.

Portable Houses.—Seven wooden houses containing each two rooms 12' x 12' as dwellings for warders and stores at outstations have been prepared at the sawpits; sapper and prisoner mechanics.

OUTSTATIONS.

Clarence Road.—This party was withdrawn shortly after the beginning of the year, having made the road passable from Fremantle to Clarence. Sapper superintendence, prisoner labourers.

North Fremantle.—The men were employed during the first three months of the year in making the road to Perth. Sapper superintendence, prisoner labourers.

This road is now metalled to a distance of nearly two miles from the north side of the river, and a short period would have connected it with that portion of the road formed and metalled by the Freshwater Bay party.

The men were unavoidably withdrawn in April to the works at the prison to supply the place of those going on ticket of leave.

The system of taskwork has been very partially carried out, owing to the large number of men going on ticket from the various parties rendering new arrangements constantly necessary.

I have, &c.

(Signed) HENRY WRAY, Captain, R. E.

(Certified true copy.)

The Honourable the Comptroller General,
&c. &c. &c.

E. Y. W. HENDERSON,
Comptroller General.

No. 16.

SIR,

Guildford, September 25, 1854.

I have the honour to forward the following report of the work performed in the eastern district during the half year ending 30th June 1854.

At *Guildford* the number on the works has been :—Royal Sappers and Miners, including warders, 5; free mechanics (paid by colonial Government), 3; ticket-of-leave men and prisoners, 65. The number of ticket-of-leave men has varied from 4 to 132.

The prisoners were gradually withdrawn from the principal station and road parties, and ticket-of-leave men substituted for them, until at the beginning of June, the only prisoners were those on the Bindon Road party, who went down to Fremantle in the course of that month.

Commissariat Quarters.—This building has been painted, the verandah has not been put up, but notwithstanding it has been in occupation all through the half year.

Commissariat Store.—The permanent flooring has been laid down, the window linings put in, the shutters made and hung, the inside painting done; the walls have been plastered inside and the window sills outside; drains have been made all round the building.

The wall to enclose the dépôt yard has been completed, and the gates made and hung.

The yard has been levelled and drains made all round the wall; the trees on the adjoining property which ran along close to the wall, and afforded facilities for scaling it, have been rooted out.

Infirmery.—This building has been commenced and finished. A surgery is attached to the sick ward, in which all the inside work will require to be done; it has been handed over for use since May.

Commissariat Stables, Cart Sheds, &c.—The frame work of this building has been put up; it provides accommodation for 8 horses and 6 carts, with a hay shed and room for

the carters and the harness. The stable part of the building has been weather boarded and partly shingled.

Blacksmiths Forge.—This building has been removed from the dépôt yard, where it took up much space and was besides inconvenient in many respects, and has been re-erected in another part of the allotment, slightly enlarged.

Superintendent's Store and Office.—Door and window frames have been made for this building and the walls carried up to the wall plate, the brick floors have been laid.

Churchyard.—The Guildford churchyard has been cleared and put in order.

Guildford Bridge and Approaches.—The 8 bays on this side of the river and 8 on the other have been completed. The handrail has been put up along the whole length of the bridge. Preparations are being made for adding 4 more bays on the other side of the water, which will make the bridge 480 feet long; the earthwork on this side 240 feet long and 9 feet high, where it joins the timber work, has been completed, the sides have been planted with couch grass and the edges with roses to bind it together. The earthwork on the other side of the river has been commenced.

York Road.—This road has been made 30 feet wide, cleared, levelled, formed, and drained for 1,320 yards; the ground is very hard and rocky; the clearing, which is very heavy, has extended a short distance further; the old road has been kept in repair to a distance of about 14 miles from Guildford. Three substantial slab huts have been built at the station, one for a cookhouse, one for the instructing warder, and the other for a store.

Toodyay Road.—The road up the hill, which is very rocky, has been levelled, formed, and drained 30 feet wide for a distance of about 800 yards, 1,600 yards have been cleared.

A substantial bridge has been erected over Janes Brook; sign posts and mile boards have been put up on this road for a short distance from Guildford.

Bindoon Road.—A small party went out to make bridges on this road toward the end of May; they had 3 bridges in hand by the end of June.

York Dépôt.—At York there have been on the works an average of, Royal Sappers and Miners, including instructing warders, 4; ticket-of-leave men, 33; the number of the latter have varied from 20 to 60.

Dépôt Building.—The hammock hooks have been made and put in, and brick flooring laid inside the hammock bays; the window sashes have been made, and gratings put at the bottom of the walls for ventilation. The walls have been pointed outside with lime. The building has been occupied since February.

Warders' Quarters.—The sashes have been glazed and hung, and the building occupied since February.

Cookhouse.—This building has been roofed and shingled, the floor laid with brick, the walls plastered, the oven made, and coppers fixed, the window sashes have been made, the walls have been pointed outside. It has been occupied since April.

Commissariat Stable.—A portion of the sides of this building has been weather boarded, and a small portion more has been roofed; the posts and sills are all up.

Sappers' Quarters.—This building has been commenced and finished, except the shelves, and the painting of the doors and windows.

Infirmary.—This building has been commenced and finished, with the exception of the glazing and a portion of the painting.

Dépôt Privy.—The dépôt privy has been commenced.

Temporary Washhouse.—A temporary washhouse for the dépôt has been put up.

Commissariat Store.—The commissariat store has been commenced.

Engineer's Store.—One of the rooms in the sappers' quarters has been fitted with shelves, &c. for an engineer store.

Temporary Forge.—A temporary forge has been erected.

Lock-up Privy.—The new lock-up privy has been completed and the yard wall pointed. The ventilation of the cells has been improved by taking out a portion of the beam, filling and raising the saddleboards; the cells have been whitewashed.

Gaoler's Privy and Oven.—A privy and oven for the use of the gaoler have been erected.

Courthouse Privy.—A privy for the courthouse has also been erected.

Convict Allotment A. 7.—The trees on this allotment have been grubbed up for firewood.

Pensioners' Cottages.—Four pensioners' cottages have been completed, all but the doors and windows; another is in progress.

Bricks.—About 100,000 bricks have been made.

Charcoal.—215 bushels of charcoal have been burnt.

Guildford Road.—Nothing more than repairing was done on this road until the month of May. The whole road was kept in good order, and well drained in the parts most requiring it.

New Line up to Cut Hill.—A new line up to Cut Hill, 3 miles in extent, has been cleared; it is very rocky, and owing to the party having been withdrawn since, it is as yet impassable.

Toodyay.—The average number of men on the works of this dépôt has been Royal Sappers and Miners (including instructing warders), 4; ticket-of-leave men, 56; probation ticket-of-leave men, 10. The number of ticket-of-leave men has varied from 27 to 70.

Depôt Building.—Window sashes have been made, half of them glazed and hung. The hammock hooks have been made and fixed, and also the shelves for the bedding; drains have been made round the building.

Gaol.—The privy has been roofed and shingled; the saddleboards of the gaol have been raised to give ventilation; the walls have been whitewashed; the doors of the cells have been rehung, painted, and numbered; the yard has been concreted.

Commissariat Quarters.—Shelves have been fixed in the commissariat quarters, and a sash door made but not glazed.

Commissariat Stables.—Stables for seven horses, with a harness room and sheds for carts and hay, have been commenced, and the stables finished far enough to be occupied; the remainder of the building is roofed, but the sides are not weatherboarded; drains have been made round the building and the yard has been levelled.

Depôt Cookhouse.—This building has been commenced and finished, excepting the shelves and the window sashes; it has been in use since March.

Infirmary.—The infirmary has been commenced, and would have been entirely finished but for want of hinges to hang the doors and windows.

Depôt Privy.—The depôt privy has been commenced and finished.

The Sapper's Privy has been commenced and finished.

Sappers' Quarters.—Sashes have been made for sappers' quarters 1 and 2, and the walls of Nos. 3 and 4 have been carried about half way up.

Temporary Washhouse.—A temporary washhouse for the men in depôt has been put up.

Superintendent's Privy and Office.—A temporary privy has been put up for the superintendent, and the office at present in use by that officer has been made more convenient.

A temporary carpenter's shop has been erected.

Pensioners' cottages.—Six pensioners' cottages have been erected; 3 of mud, 2 of brick, and 1 of stone; they are floored with bricks and thatched with rushes. Bricks; 107,000 bricks have been made. Charcoal; 785 bushels of charcoal have been burnt.

Guildford Road.—About 2 miles of this road from the depôt have been formed and drained. Three more very substantial bridges have been constructed, and another will be shortly; and a heavy cutting 7 miles from the depôt, which saves a very steep ascent, has been completed. A swampy part about 17 miles from the depôt has also been raised. The road between Baylup and Guildford has been repaired. There is now no part of the road presenting any obstacles to carts, and the parties will therefore be able to work steadily on, forming and draining the road.

Northam Road.—A small party, varying in number from 7 to 20, has been working on this road; they have finished all the bridges required between the depôt and the place where the road crosses the river (about 15 miles), and have made all the necessary cuttings and drains to render the road thoroughly passable for that distance. They have also cut some timber for the bridge to be erected across the Avon near Northam.

I beg to add, in accordance with your desire, a resumé of all the work done in this district, from the establishment of the various depôts up to the present date.

At *Guildford* there has been erected a wooden depôt capable of containing 65 men, and a cookhouse, &c., of brick furnished with an oven and 3 boilers; these with a warder's quarters consisting of two rooms, an office and a store for the superintendent of the station, all of brick, are surrounded by a brick wall 9 feet high, which also encloses a yard 116' x 145' feet for the use of the ticket-of-leave men.

A *Hospital* capable of containing 10 men, having a surgery attached to it, has been erected outside this yard, and it is intended to enclose the ground surrounding this as an exercising ground for the sick.

Quarters for four married sappers with their families have been erected; they consist of one room for each family, with a verandah in rear of the house; of these however only two are occupied by the sappers, one being given over for the use of a warder of the depôt and the other being used as an engineer's store.

A *commissariat store* has been erected 55' x 25'; to it are attached a quarter consisting of two rooms and a kitchen, and an office. This building is of brick with wooden floors, the quarters and office only are ceiled. It is surrounded by a fence enclosing a yard about 130' x 145' in which also has been erected a wooden stable; this has been built with one side open as being best suited to the climate, and the work required of the horses; there is accommodation for 7 horses, a loose box for a sick horse, a harness room, a room for the groom, and a shed capable of containing 4 carts and 30 tons of hay.

A *quarter* consisting of two rooms, kitchen, and servants room, with an office attached, has been erected for the officer of engineers in charge of the works in the district, for whom also has been built a stable and a store room.

A *wall* has been erected round the colonial gaol at the colonial expense.

A *wooden forge* containing two fireplaces, and a rough bush carpenter's shop, have been erected for the mechanics employed on the works.

At *York* a gaol containing twelve cells and a cell for natives has been built of stone.

Quarters consisting of two rooms for the gaoler are attached, and also a store to contain the articles supplied to prisoners; there is a small yard in the rear of the building for the use of prisoners.

Similar buildings to those at Guildford have been erected for the ticket-of-leave establishment, viz., a *depôt* capable of containing 120 men, a cookhouse furnished with two boilers, fireplace, and oven. Quarters for two warders, consisting of two rooms each; and to which the superintendent's store is attached.

An *infirmary* for 10 men, with a surgery attached; a temporary *washhouse* has also been erected; all the buildings used or occupied by ticket-of-leave men it is proposed to surround with an enclosure.

Quarters have also been erected here for four married sappers, of a description similar to those at Guildford; one of these rooms however is used temporarily as an engineer store.

A *commissariat store* 30' x 18' with quarters consisting of two rooms and a kitchen, are in course of construction, as are also the stables, which are of wood, and in which is accommodation for 7 horses, a harness room and sheds to contain 4 carts and 20 tons of hay. The construction of these buildings has been deferred at this station, because it was thought advisable to give shelter to the Royal Sappers and Miners and ticket-of-leave men who were obliged to live in tents and Δ huts, on account of there being no place which could be hired for them; whereas a house had been provided for the purpose of a store until the requirements above alluded to had been complied with.

All the above-mentioned buildings, except those otherwise specified, are built of brick (made by ticket-of-leave men in the *depôt*) on stone foundations; no lime being procurable in the neighbourhood, the bricks are laid in mud.

Six pensioners' cottages, consisting of two rooms each, have been nearly finished; these are made of rammed earth on stone footings, with thatched roofs on rough poles. In building these the wishes of the pensioners who are about to occupy the cottages have been complied with as far as practicable; they have been floored with brick.

The *Workshops* that have been erected are of quite a temporary nature.

A 3-rail fence has been put up round the allotment on which these buildings stand.

At *Toodyay* there has been erected at the townsite a gaol precisely similar to that at York.

The *depôt building*, *two warders quarters*, *superintendent's store*, *infirmary*, and *cookhouse* are also precisely the same, and are made of brick on stone foundations, the bricks being partly bought and partly made in *depôt*.

A *commissariat store* 35' x 20' has been erected of bricks, and having attached to it a quarter consisting of two rooms, which is of stone a space of about 100 feet square round this building is enclosed with a 3-rail fence, and in this enclosure has been erected also a stable of wood for seven horses, harness room, and sheds for 4 carts and 20 tons of hay.

A *garden*, for the supply of vegetables to the *depôt*, has also been fenced in.

The *quarters* for four sappers have been erected in two houses of two rooms each, with verandah, as at the other stations; one house is of stone and the other of brick. One of these quarters is being fitted up as an engineer store.

A *blacksmiths' forge* has been erected, *several temporary buildings* have been put up, each of which has been converted to different uses at different times; one is at present used as a superintendent's office.

Six pensioners' cottages have been put up, 3 of mud, 1 of brick, and 2 of stone, floored with brick and thatched with rushes; each pensioner has also had $\frac{1}{2}$ an acre of land cleared for him to give him a start.

Prior to the erection of the cottages, when it was impossible to put them up, Δ huts were made on four of the allotments, in order that the men might come and live on their land and cultivate it; they have therefore the advantage of these huts as well as their regular houses.

As the *road parties* are now increasing in numbers, and are performing work likely to detain them for long periods at the same place, houses have been put up for them and the officers attached to them as follows:

On the *York Road*, about six miles from this, has been erected a station consisting of a ticket-of-leave men's barrack capable of holding 70 men, a cookhouse containing oven and fireplace, houses for the assistant superintendent in charge of the party, the instructing warder and the stores.

These buildings are all made of slabs of mahogany, with the joints plastered with clay, and the roofs are thatched on rough poles; in the barrack bedplaces have been made for the men, and shelves for the reception of their bedding, dinner utensils, &c. when not in use.

Two miles further on is a smaller station consisting of only 25 men; these are living in substantial Δ huts slab huts have been built for the overseer and for the stores.

On the *Toodyay Road*, about six miles from hence, a station has been erected capable of containing 60 men, a room for the sick, a cookhouse, a warder's quarter, and a quarter and store room for the assistant superintendent; these buildings are of mud, with thatched roofs, the timber in the vicinity not being so well adapted to making slabhouses as on the York road.

On the same road, about $4\frac{1}{2}$ miles from Toodyay *Depôt*, has been erected a station for 40 men. The barrack is the only building finished here; it is of wattle and daub with thatched roof.

It is proposed to erect several such stations as these in suitable spots along the roads, for the accommodation of working parties on the road, or for resting places for the drafts of men going up the country from Fremantle. When the necessity for them for these

purposes shall cease, they will form very good and desirable locations for the pensioners or for persons who, in consideration of having the houses, might engage to keep the road in repair in their neighbourhood.

The works done for the benefit of the colony have been as follows:

A bridge has been erected over the Swan at Guildford, which requires only the plank-ing to enable it to be made use of; it is built of mahogany. The river is 180 feet broad in summer and about 14 feet deep in the centre; but in heavy winter floods it sometimes rises 12 feet and covers the flats, which are there about $\frac{1}{4}$ mile wide, and at such times the stream is very rapid. The portion of this bridge crossing the summer bed of the river has been made somewhat higher than the highest flood. It is in 6 bays, each 30 feet wide; the piers are formed by piles driven into the bed of the river, on which is a frame-work of heavy timber to carry the superstructure.

The remainder of the bridge is in bays 15 feet wide, formed of unhewn timber; the total length of timber work is 480 feet; the width of 300 feet of the bridge is 18 feet and of the remainder 12 feet; there are earthwork approaches on either side of the river 450 feet in length, and about 9 feet high where they touch the bridge, sloping gradually down to the ground, and there is about the same length of earthwork in a separate part of the flat which is 2 or 3 feet high.

Owing to the small and fluctuating number of men in the depôts, little has been done on the roads, except repairing, until within the last eight months.

On the road to York about $5\frac{1}{2}$ miles, in different parts of the road, have been cleared of thick and heavy timber to a width of 30 feet; one mile has been formed, drained, and graded. One bridge has been made on this line.

Six miles of the Toodyay Road have been cleared in the same way, and nearly all of this is regularly made. Fifteen miles more of this road has been cleared of the smaller timber, but nothing further done on that part.

Five substantial timber bridges crossing small streams, which become torrents in winter, have been made on this line, and two heavy embankments revetted with loose stones about 3 feet high.

On both the roads here mentioned the passes up and down the Darling range have been made so easy, by means of cutting and levelling, as to present scarcely more difficulties to the passage of vehicles than the roads in a plain country.

Portions of two roads between York and Toodyay, one on each side of the river Avon, have been cleared to the usual width, levelled where the roads presented any difficulty, and all the streams bridged.

There is about 40 miles of clearing on these lines and 13 good substantial timber bridges.

Preparations are being made for throwing a timber bridge across the Avon at Northam; it is there 200 feet wide, and this bridge will connect the two roads and complete the communication between York and Toodyay.

The road up the Toodyay valley has been cleared for 4 miles, and stone fords made where it crosses the Toodyay brook.

Eleven miles of the road from Guildford to Biadoon have been cleared of very heavy timber and 4 bridges nearly finished.

From Guildford to Perth and Fremantle the transport of produce is effected without any difficulty by boats on the river Swan, so that all these roads, by facilitating and completing the communication between the most productive districts and the sea port the seat also of the greatest consumption, are of the most material benefit in developing the resources of the colony, and as such the employment of ticket-of-leave men in making new ones and in improving and repairing the old has given the greatest satisfaction to the settlers.

I have, &c.

(Signed) E. F. DUCANE,

Lieut. R. E.

(Certified true copy.)

E. Y. W. HENDERSON,

Comptroller General.

RETURN of Accommodation provided.

Name of Station.	Barracks, Hospital, Cookhouses, Privies, &c.	Officers and Warders Quarters.	Sappers Barracks.	Pensioners Barracks and Quarters.	Commissariat Office, Store, and Quarters.	Engineer (Officers) Quarters.	Police Barracks and Stables.
Fremantle	776 prisoners	Warders 30	62 men	64 rooms	Offices and store, stables, &c.	2	Lock-up, serjeant's quarters, quarters for 6 men, do. for superintendent of water police, water police barracks, boathouse, &c.
North Fremantle	120 prisoners or ticket-of-leave men.	3	Nil.	19 cottages	Nil.	Nil.	Nil.
Freshwater Bay	80 do.	3	Nil.	Nil.	Nil.	Nil.	Nil.
Mount Eliza	68 ticket-of-leave	1	2	Nil.	Nil.	Nil.	Nil.
Guildford	68 ticket-of-leave or prisoners.	2	4	In progress 12 cottages.	Office, store, stables, and quarters.	1	Nil.
York	120 ticket-of-leave	2	4	8 cottages	Do. do.	Nil.	Gaol, gaoler's quarters, 12 cells, store.
Toodyay	120 do.	2	4	do.	Do. do.	Nil.	Do. do. do.
Albany	80 do.	2	4	-	In progress	Nil.	Do. do. do.
Bunbury	80 do.	1	1	9 do.	Office, store, stables, and quarters.	Nil.	Police stables.
	1,509	46	81	112			

E. Y. W. HENDERSON,
Comptroller General.

OF CONVICT DISCIPLINE AND TRANSPORTATION. 151

Return of Roads executed and Bridges built by the Convict Department.

WESTERN
AUSTRALIA.

Roads.	Cleared.	Levelled and graded.	Macada- mized.	Repaired.	Bridges.
Perth to Albany -	200	(100 cleared by colonial prisoners.)			
Mandurah to Bunbury	54	5	-	-	Guildford, 480 ft. long, 30 ft. high.
York to Toodyay -	40	-	-	-	Ludlow.
Toodyay Valley -	-	4	-	-	Capel.
Guildford to Bindoon	11	-	-	-	Meredith Creek.
Do. to York -	6	1	-	20	Janes Brook.
Do. to Toodyay -	21	6	-	20	13 on York and Toodyay Road.
Fremantle to Perth -	12	-	-	-	4 on Bindoon Road.
Do. do. -	7 $\frac{1}{4}$	6 $\frac{1}{4}$	3	-	5 on Guildford and Toodyay.
Do. to Canning -	13	-	-	-	1 on York Road.
Do. to Clarence -	-	5	2	-	on Perth and Albany Road.
Banbury to Vasse -	8	-	-	-	Jetties.—North and South Bay,
Total -	372	27 $\frac{1}{4}$	5	40	Fremantle; draining lakes at Perth, filling swamps at Fre- mantle.

(Signed) E. Y. W. HENDERSON,
Comptroller General.

Despatches from the Secretary of State.

No. 1.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to Governor FITZGERALD.

(No. 22.)

SIR,

Downing Street, February 6, 1855.

I HAVE received your Despatch No.* 97, of the 30th August last, containing a further report on the nature of the particulars furnished in the documents sent out with the Irish prisoners in the ships "Robert Small" and "Phœbe Dunbar," and describing the manner in which these prisoners had been dealt with by you, in the absence of specific instructions.

I see no reason to doubt the propriety of the course which you adopted.

With respect to the future, I caused a communication to be addressed to the Home Office, of which an extract is enclosed; and I also transmit a copy of the reply which has been received at this department from the Irish Government, by which you will learn that improvements are in the course of being effected in the management of prisoners in Ireland, and that an endeavour will be made to attain the objects to which you justly attach importance.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) G. GREY.

Enclosure 1 in No. 1.

Encl. 1 in No. 1. EXTRACT of a LETTER from H. MERIVALE, Esq. to H. WADDINGTON, Esq., dated Downing Street, January 5, 1855.

"I AM desired to state that it has often been represented from Western Australia, and doubtless with truth, that it is material that all prisoners, and more especially those from Ireland, should have a period of not less than twelve months to spend upon the public works in the colony before becoming qualified for a ticket-of-leave; and I am to suggest that for this reason it would be advisable that Irish prisoners should be sent out at a sufficiently early period of their sentence to make their whole detention on public works including the time at home and abroad, not exceed that of English convicts. The Governor appears to take a correct view, in representing that any difference in that respect cannot but lead to discontent, and to difficulty in the management of the convicts."

H. Waddington, Esq.
&c. &c.

Enclosure 2 in No. 1.

Encl. 2 in No. 1.

SIR,

Dublin Castle, January 22, 1855.

IN reference to your letter of the 11th instant, transmitting copy of a letter from the Under Secretary of State for the Colonial Department, forwarding the copy of a Despatch from the Governor of Western Australia, containing a further report on the nature of the particulars furnished in the documents sent out with the Irish convicts, and suggesting that the regulations as to the probation, &c. of English and Irish convicts should be assimilated; I am directed by the Lord Lieutenant to transmit the annexed copy of a communication from the Director of Convict Prisons in Ireland, for the information of Viscount Palmerston.

I am to state that his Excellency has no doubt, from the arrangements now in progress under the Act of last session, for the better regulation and government of convict prisons in Ireland, that the desirable objects adverted to by the Governor of Western Australia will speedily be attained.

I am, &c.,
(Signed) THOS. LARCOM.

* Page 155 of Papers on Convict Discipline presented to Parliament by Her Majesty's Command, February 1855.

Sub-Enclosure to Enclosure 2 in No. 1.

WESTERN
AUSTRALIA.

SIR,

Government Prisons Office, 19th January 1855.

WITH reference to your minute on the annexed letter from Mr. Waddington, dated the 11th Instant, we beg to state that we fully concur with the Governor of Western Australia in his opinion of the inconvenience (if not injustice) of the different convict systems pursued in England and Ireland, and the discontent that must necessarily arise from the fact of English convicts arriving with earnings to their credit, whilst the Irish have none.

We have already recommended the adoption of the gratuity system in this country, as being a stimulus to labour, and are endeavouring to rectify other existing differences as much and as speedily as possible.

We regret that through the present want of suitable prison accommodation these changes cannot be made, with practical results, as early as we could wish; however, from the 1st January 1855, every adult male convict, not physically unfit, will be treated on the system pursued in England viz, 1st, separate imprisonment, 2ndly, public works, from which stage, for the future, we propose selecting well-behaved men for Western Australia, bearing in mind their adaptation for a colony. Full returns will be sent out with the convicts.

We have, &c.

(Signed) WALTER CROFTON, Chairman.
C. R. KNIGHT.
JOHN LENTAIQUE.

No. 2.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to Governor FITZGERALD.

No. 2.

(No. 3.)

SIR,

Downing Street, March 5, 1855.

As the Comptroller-General's half yearly reports appear to be liable to be delayed much beyond the lapse of each recurring period, and as it is found inconvenient to remain so long without any accurate information on the number of convicts in the colony, I have to request that you will instruct the Comptroller to furnish very punctually at the expiration of every half year a return in the form herewith enclosed of the number of prisoners and ticket-of-leave men in the colony, and of the amount of available prison accommodation. For the sake of greater clearness, the form has been filled up as a specimen, with the numbers shown by the different returns which accompanied the half-yearly report up to December 1853.

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) G. GREY.

Enclosure in No. 2.

Prison Accommodation.

Chief Establishment at Fremantle	776
Branch Do. " Fremantle	120
Do. Do. " Freshwater Bay	80
Do. Do. " Guildford	64
Do. Do. " Toodyay	36
Do. Do. " York	36
Do. Do. " Clarence	30
	1142

Encl. in No. 2

Number of Prisoners.

Probation	- - -	871
Reconvicted by Superior Courts	-	none
Ticket-of-leave men under magisterial sentences	- - -	80
Colonial	- - -	5
		956

Vacant room for 186*

*It must be understood, however, that of the above-mentioned accommodation, room for is provisional, and that there is only permanent room for , so that there is not any permanent space vacant.

WESTERN
AUSTRALIA.

Ticket-of-leave men (exclusive of those remanded to prison, on the hands of Government.

In hospital	-	-	-	2
Road parties	-	-	-	43
Survey parties	-	-	-	10
Local gaols	-	-	-	2
In dépôt at				
Mount Eliza	-	-	-	30
Guildford	-	-	-	3
Toodyay	-	-	-	44
York	-	-	-	33
Bunbury	-	-	-	21
Port Gregory	-	-	-	24
Albany	-	-	-	6
Total on the hands of Government				218
In private service				687
Total of ticket-of-leave men				905
Do.	„	prisoners		956
Grand total				1,861

No. 3.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.,
to GOVERNOR FITZGERALD.

No. 3.

(No. 12.)

SIR,

Downing Street, April 8, 1855.

WITH reference to those parts of your Despatch No. 101,* dated the 11th of September last, and to the half-yearly report therein enclosed, which relate to the Irish convicts sent to Western Australia in the "Robert Small" and "Phœbe Dunbar," I have to inform you, that by a communication received from the Irish Government it appears that, in the opinion of the Directors of Convict Prisons in that country, it will be desirable for the present year to stop the despatch of Irish convicts to Western Australia. No more convicts, therefore, will for the present, be sent to the colony from Ireland

Governor Fitzgerald,
&c. &c.

I have, &c.
(Signed) G. GREY.

No. 4.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart.
to GOVERNOR FITZGERALD.

No. 4.

(No. 13.)

SIR,

Downing Street, April 13, 1855.

I HAVE had under my Consideration your Despatch No. 130,* of the 17th of November last, accompanied by the estimate of convict expenditure for the financial year ending the 31st of March 1856.

The amount of the estimate sanctioned for the year ending the 31st of March 1855 was 76,765*l.*; the amount proposed by you in the present Despatch is 93,725*l.*, being an increase of 16,960*l.* Seeing that there is no material increase in the number of convicts, I cannot but view this augmentation of the estimates with much regret. I will proceed to note those of them upon which I have any immediate remark to make in the order in which they are appended to your Despatch.

The allowance made for police and magistrates last year, as explained to you in the Duke of Newcastle's Instructions, No. 26, of the 28th of February 1854, was 6,000*l.* for police, and 1,000*l.* towards the expense of the magistracy. I observe that this year you have inserted an item of 715*l.* for visiting magistrates, and have returned separately a general contribution of 1,000*l.* towards the magistrates of the colony. This cannot be sanctioned. The fixed sum of 1,000*l.*

* Page 156 of Papers on "Convict Discipline," presented to Parliament by Her Majesty's Command, February 1855.

will be adhered to, out of which you will defray the necessary pay and allowances to visiting magistrates; and only the surplus can be made available towards meeting the charge of other magistrates. With regard to police you were apprised that the contribution in this country could *not exceed* one third of the whole expenditure, but it was not meant that the positive amount could be indefinitely increased. Considering the comparatively small number of convicts in Western Australia, I have to apprise you, that Her Majesty's Government cannot consent to propose to Parliament more than the existing grant of 6,000*l.* for police, this being in itself at the rate of more than three times the proportion which used to be allowed in Van Diemen's Land.

I will not object to the increased medical aid applied for in your present Despatch and its Enclosures. But I am not aware of any authority for the fresh allowance of 9*l.* per annum which I see inserted for the Principal Surgeon, nor do I consider it necessary. This item will be struck out.

I shall reserve for further consideration the question of appointing an Assistant Chaplain; and in the meanwhile it is needless to retain the item proposed for his office (amounting to 187*l.*) in this year's estimate. In other respects I will not object to the increased provision which you propose for religious instruction.

As the average number of convicts holding tickets-of-leave from the hands of the Government during the period of the last five periodical returns has been rather less than 300, I have reduced the estimate for wages of ticket-of-leave men chargeable to the Government from 4,136*l.* to 2,000*l.*

I think that the average number of convicts throughout the year will prove somewhat smaller than you anticipate, and I have therefore reduced by about one eighth your estimates under the several heads of transport, miscellaneous services, provisions, fuel and light.

I annex a Comparative Statement, shewing the amounts proposed by you, and the amounts actually sanctioned. You will take care to make arrangements for bringing the expenditure within the limits thus authorized. I enclose another Schedule, exhibiting the amounts sanctioned, in the order and form in which they will be submitted to Parliament.

I have only further to state, that the heavy expenditure on account of the Convict Department in Western Australia continues to be a subject of regret to Her Majesty's Government, and that they consider it essential that all proper means should be taken upon the spot of bringing it within a compass more suited to the very moderate number of convicts in the colony.

I have, &c.

Governor Fitzgerald,
&c. &c.

(Signed) G. GREY.

Schedule 1.

Schedule 2.

Schedule No. 1.

COMPARATIVE STATEMENT of Convict Estimates proposed by the Governor and of those approved for the Year ending the 31st March 1856.

No. of Item.	Service.	Proposed by the Governor.	Approved.	Deduction.
1	Comptroller-General's Department	2,163	2,163	—
2	Principal Prison and Branches	7,897	7,897	—
3	Hiring Stations and Road Parties	4,392	4,392	—
4	Visiting Magistrates	715	—	715
5	Medical Department	861	770	91
6	Religious Instruction	1,266	1,079	187
7	Royal Engineer Department	1,070	1,070	—
8	Land and Water Transport	2,791	2,501	290
9	Public Buildings	10,804	10,804	—
10	Water Police	890	890	—
11	Magistracy and Land Police	8,017	7,000	1,017
12	Apprehension of Runaway Convicts	150	150	—
13	Wages of Ticket-of-leave Men	4,136	2,000	2,136
14	Gratuities to Prisoners	1,144	1,144	—
15	Miscellaneous Services	1,468	1,200	268
16	Prison Stores, Clothing, &c.	2,000	1,800	200
17	Provisions	41,459	35,000	6,459
18	Fuel and Light	2,502	2,200	302
		93,725	82,060	11,665

ESTIMATE of the Sum required to defray the Expense of the Convict Establishment in Western Australia for the Year ending the 31st of March 1856.

Eighty-two thousand and sixty Pounds.

1. Salaries and allowances for superintendence	-	-	-	-	£15,522
2. Do. do. religious instruction	-	-	-	-	1,079
3. Do. do. medical treatment	-	-	-	-	770
4. Provisions	-	-	-	-	35,000
5. Transport, provisions, and stores	-	-	-	-	2,501
6. Fuel and light	-	-	-	-	2,200
7. Clothing, bedding, &c.	-	-	-	-	1,800
8. Buildings and repairs of buildings	-	-	-	-	10,804
9. Miscellaneous, viz., postage, printing, books, &c.	-	-	-	-	1,200
10. Water police	-	-	-	-	890
11. Police and magistrates	-	-	-	-	7,000
12. Wages and gratuities to ticket-of-leave men	-	-	-	-	3,144
13. For apprehension of runaway convicts	-	-	-	-	150
					<u>£82,060</u>

No. 5.

COPY of a DESPATCH from the Right Hon. Lord JOHN RUSSELL to Governor KENNEDY.

(No. 23.)

SIR,

Downing Street, May 30, 1855.

I HAVE to acquaint you that a copy of your predecessor's Despatch, No. *5, of the 8th January last, was referred for the consideration of the Lords Commissioners of the Treasury, in which it was requested, for the reasons there assigned, that he might be permitted to continue for a further period of six months the increase to the salaries of the warders in Western Australia which was sanctioned by the Duke of Newcastle's Despatch, No. 95, of the 26th of August 1853, and that their Lordships have now informed me that they are prepared to accede to this arrangement.

Governor Kennedy,
&c. &c.

I have, &c.
(Signed) J. RUSSELL.

APPENDIX.

SOUTH AUSTRALIA.

APPENDIX No. 1.

APPENDIX No. 1.

No. 3.

An Act to repeal "An Act to provide for the commutation of sentences of transportation, and to substitute imprisonment with hard labour as a punishment in lieu of transportation, and for the employment of prisoners sentenced to hard labour," and to substitute other provisions in lieu thereof.

WHEREAS an Act was passed in the fifteenth year of the reign of her present Majesty, intituled "An Act to provide for the commutation of sentences of transportation, and to substitute imprisonment with hard labour as a punishment in lieu of transportation, and for the employment of prisoners sentenced to hard labour:" And whereas, by reason of the discontinuance of transportation as a punishment for offenders, the number of prisoners confined in the gaols of the province hath greatly increased, and may be expected further to increase; and it is expedient to provide more effectually for the safe custody, discipline, and government of such prisoners: And whereas it is also expedient to give a power to the courts of the province in sentencing prisoners to define and prescribe the nature of the imprisonment to which such prisoners may be sentenced, and for that purpose to repeal the said Act: Be it therefore enacted by the Lieutenant-Governor of the province of South Australia, with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

15th Vict. No. 18.

I. From and after the passing of this Act, the said Act "to provide for the commutation of sentences of transportation, and to substitute imprisonment with hard labour as a punishment in lieu of transportation, and for the employment of prisoners sentenced to hard labour," shall be and the same is hereby repealed, excepting as regards anything heretofore lawfully done or sentenced to be done under the authority thereof.

Repeal of Act
15th Vict. No. 18.

II. Whenever, before the passing of the said Act, the punishment of transportation beyond the seas was by law annexed to any offence, it shall be lawful for any court having jurisdiction therein to sentence any person convicted of such offence to be kept in penal servitude for such term as in this Act is awarded, in lieu of transportation.

Sentence of penal
servitude instead
of transportation.

III. The term of penal servitude to be awarded, instead of the term of transportation to which any offender would have been liable if the said Act had not been passed, shall be as follows; that is to say—

Terms of penal
servitude to be
awarded.

Instead of transportation for seven years, or for a term not exceeding seven years, penal servitude for the term of four years.

Instead of transportation for any term exceeding seven years and not exceeding ten years, penal servitude for any term not less than four and not exceeding six years.

Instead of transportation for any term exceeding ten years and not exceeding fifteen years, penal servitude for any term not less than six and not exceeding eight years.

Instead of transportation for any term not exceeding fifteen years, penal servitude for not less than eight and not exceeding ten years.

Instead of transportation for the term of life, penal servitude for the term of life.

And in any case where, at the discretion of the court, one of any two or more of the terms of transportation herein-before mentioned might have been awarded, the court shall have the like discretion to award one of the two or more terms of penal servitude herein-before mentioned in relation to such terms of transportation.

4. Every person who under this Act shall be sentenced or ordered to be kept in penal servitude, and every person who under the said Act shall have been sentenced to imprisonment with hard labour, may, during the term of the sentence or order, be kept in such labour prison, or other place, and employed in such manner, and upon such works as the Governor, with the advice of his Executive Council, may from time to time direct, or as may be prescribed by any regulation to be published in manner herein-after directed, but not upon public roads which have been used for traffic, or in any place where the persons so sentenced would be employed with free labourers.

Persons sentenced
to penal servitude
to be kept in
Labour Prison or
other place ap-
pointed by Go-
vernor.

APPENDIX No. I.

Governor may
proclaim gaols or
prisons to be
labour prisons.

Prisoners sen-
tenced to penal
servitude to be
delivered to cus-
tody of Comptroller
of Convicts.

Comptroller of
Convicts to have
power of sheriff
within labour
prisons.

Governor, with
advice of Exe-
cutive Council,
may frame regu-
lations for govern-
ment of labour
prisons.

Discretion of
courts as to alte-
ration of punish-
ment not to be
affected.

V. It shall be lawful for the Governor to appoint one or more gaols or prisons to be labour prisons, to be used for the confinement and employment of any persons who may be so sentenced to be kept in penal servitude, or who may have been sentenced to imprisonment with hard labour under the said Act, and to place such prisons under the control and superintendence of a Comptroller of Convicts, and to appoint such gaolers and other officers for such prisons as may be necessary or expedient; and after any gaol or prison shall, by proclamation in the *South Australian Government Gazette*, be declared and notified to be a labour prison, the same shall no longer be under the charge, care, and direction of the sheriff of South Australia, and the prisoners for the time being confined therein shall not be deemed to be in the custody of the said sheriff, but such gaols or prisons shall in all other respects be subject to the provisions of an Ordinance passed in the sixth year of the Reign of Her present Majesty, intituled "An Act for the regulation of gaols, Prisons, and houses of correction in South Australia.

VI. The sheriff of the said province shall, upon receiving any order to that effect from the Governor, deliver any person so sentenced to be kept in penal servitude, or to imprisonment with hard labour, and named in such order, to the Comptroller of Convicts, together with a true statement, attested by such sheriff, of the sentence or order of the court by which such offender was sentenced to penal servitude, or imprisonment with hard labour; and such Comptroller shall give a receipt in writing to the said sheriff for his discharge.

VII. Within any labour prison or other place as aforesaid the Comptroller of Convicts shall have, possess, and be liable to the same rights, powers, responsibilities, and duties which are possessed by or attached to the said sheriff in gaols and prisons within the said province.

VIII. It shall be lawful for the Governor, with the advice of his Executive Council, by any regulations to be from time to time published in the *South Australian Government Gazette*, to prescribe and direct the time and manner of employing the persons confined in any labour prison or other place under the authority hereof, and to provide for their safe custody, management, and discipline therein, and to give to such Comptroller of Convicts any of the powers of a visiting justice within any such labour prison, or other place, and to provide for the remission of any part of the sentence of any such person, upon certain conditions, and to provide for the due order, control, and government of such prison; and in such regulations to direct the said persons to be kept in separate or solitary confinement.

IX. Nothing herein contained shall interfere with or affect the authority or discretion of any court, in respect of any punishment which the said court might, prior to the passing of the said Act, have awarded or passed, or may now award or pass, on any offender, other than transportation; but where such other punishment may be awarded, at the discretion of the court, instead of transportation or in addition thereto, the same may be awarded instead of or (as the case may be) in addition to the punishment substituted for transportation under this Act.

JOHN MORPHEIT, Speaker.

Passed the Legislative Council, this twenty-sixth day of September one thousand eight hundred and fifty-four.

F. C. SINGLETON,
Clerk of the Legislative Council.

In the name and on the behalf of Her Majesty, I assent to this Act.

W. E. YOUNG,
Lieutenant-Governor.

Government House, Adelaide,
9th October 1854.

WESTERN AUSTRALIA.

APPENDIX No. 2.

APPENDIX No. 2.

Anno Decimo Septimo Victoriae Reginae.

No. 7.

An Ordinance for the suppression of violent crimes committed by convicts illegally at large.

WHEREAS since the colony of Western Australia became a penal settlement certain robberies of arms, provisions, and other articles, by force or intimidation, have been committed therein by convicts illegally at large, and the lives of officers of justice and their assistants, while in the execution of their duty in endeavouring to apprehend such offenders, have been perilled by resistance with deadly weapons: And whereas it is expedient, as well for the peace and security of Her Majesty's free subjects resident within the said colony, as for the due protection of such officers of justice, that such offences should be prevented or suppressed by more stringent laws than now exist: Be it therefore enacted by his Excellency the Governor of Western Australia and its dependencies, by and with the advice and consent of the Legislative Council thereof, that from and after the date at which this Ordinance shall come into operation, if any convict illegally at large shall rob any person, and at the time of or immediately before or immediately after such robbery shall beat, strike, or use any other personal violence to any such person, every such offender shall be guilty of felony, and being thereof convicted shall suffer death.

Preamble.

Armed escaped convict.

II. That if any convict, illegally at large, shall enter any dwelling house, or any building within the curtilage of a dwelling house, with intent to commit a felony therein, and shall beat, strike, bind, confine, or use any serious personal violence so as to cause grievous bodily harm to any person therein, every such offender shall be guilty of felony, and being thereof convicted, shall suffer death.

Entering house with intent.

Violence.

III. That if any convict illegally at large, being armed with any offensive weapon or instrument, shall, by striking, beating, or other personal violence, assault with intent to rob any person, every such offender shall be guilty of felony, and being convicted thereof shall suffer death.

Armed escaped, assault with intent to rob.

IV. That if any convict illegally at large (or if any convict kept to labour in the service of Government, in or at any place appointed by the said Governor, or used, with his knowledge and sanction, as a place of confinement or detainer or hard labour for convicts,) shall unlawfully and maliciously shoot at any person, or shall by drawing a trigger or in any other manner attempt to discharge any kind of loaded arms at any person, or shall stab, cut, or wound any person, with intent in any of the cases aforesaid to do some grievous bodily harm to such person, or with intent to resist or prevent the lawful apprehension or detainer or to effect the forcible escape of himself or of any other person, every such offender, and every person aiding or abetting such offender, shall be guilty of felony, and being convicted thereof, shall suffer death.

Attempt to shoot or wound.

V. That if any convict illegally at large, and being armed with any description of firearms, or with any weapon or instrument adapted for cutting or stabbing, and capable of inflicting a dangerous incised or punctured wound, shall be required to surrender himself by any justice of the peace, policeman, constable, or officer of a convict prison or dépôt, or any free person, acting under the direction or in aid of any such peace or other officer, (whether such policeman, constable, officer, or free person shall or shall not then have a magistrate's warrant for the apprehension of such convict,) and such convict shall refuse or decline so to surrender himself, and, still retaining such firearms, weapon, or instrument, shall, by threats or gestures, give reasonable cause to believe that he is about to use such firearms, weapon, or instrument, for the purpose of preventing his apprehension, then and in any such case it shall be lawful for such justice, policeman, constable, or officer, having first declared and notified his official character to such convict, or for any free person acting in aid as aforesaid, by the discharge of any loaded firearms, or by the use of any weapon or instrument whatsoever, to disable and overpower such convict, with a view to his apprehension without bodily injury to his captor; and in case the death of such convict shall be thereby caused, the same shall be deemed an act of justifiable homicide; and every such justice, policeman, constable, officer, or free person acting in aid as aforesaid shall be and is hereby indemnified and discharged from any indictment, penalty, action, or other proceeding for so doing.

Armed escaped convict, if required, must throw down weapon.

Threat or gesture.

May be shot.

VI. That if any convict shall, by force or flight, attempt to escape from any place appointed by the said Governor or used with his knowledge and sanction as a place of confinement or detainer for convicts, or from any party of convicts employed in the service of Government on any road or public work, or from the custody or charge of any warder or other officer of the Convict Department, or from the custody of any policeman or constable, under a commitment for trial on a charge of felony and if such convict, being called upon by such warder or officer, or by any warder or other officer of such

APPENDIX No. 2. place of confinement, or of such working party as aforesaid, or by any military or other sentry then being on guard over such convict, to stop and surrender himself, shall refuse or decline so to do, then and in any of the aforesaid cases it shall be lawful for such warder, officer, policeman, constable, or sentry to fire upon or use any weapon or instrument against such convict, for the purpose of preventing such escape; and in case the death of such convict shall be thereby caused, the same shall be deemed an act of justifiable homicide; and every such warder, officer, policeman, constable, or sentry shall be and is hereby indemnified and discharged from any indictment, penalty, action, or other proceeding for so doing.

Prevent escape.

Aid to Constable by all witnesses.

VII. That all Her Majesty's subjects and others resident within the said colony, being males above the age of 18 years and below the age of 60 years, and being free persons, or convicts holding tickets-of-leave, and not being aborigines, may lawfully be called upon to aid and assist any justice of the peace, constable, or police officer in the pursuit and capture of any convict illegally at large; and every person who shall be so called upon to aid and assist, and shall refuse or neglect so to do, without just and reasonable excuse shown to the satisfaction of any justice or justices of the peace before whom such person shall or may be charged with such refusal or neglect, shall forfeit and pay (over and above any other punishment to which such person shall be liable by law) any sum of money not exceeding ten pounds, to be awarded, recovered, or enforced in a summary manner within one calendar month after the commission of such offence, before any one or more justice or justices of the peace, according to the provisions of the Ordinance No. 5 of 1850; and every such fine, when recovered, shall be paid into the hands of the Colonial Treasurer, to the use of Her Majesty, her heirs and successors, for the public uses of the said colony, and the support of the Government thereof.

Terms used.

VIII. That throughout this Ordinance the word "convict" shall be deemed and construed to mean any offender being in the said colony under an unexpired or unremitted sentence of transportation, whether such sentence shall have been passed in the said colony or elsewhere, and also any offender, being in the said colony, whose sentence shall have been commuted to transportation for a term still unexpired or unremitted; and that the words "convict illegally at large" shall be deemed and construed to mean a convict (whether holding a ticket-of-leave or otherwise) escaped from any prison, depôt or station of convicts employed in the service of Government, on any road or public work or from any place appointed by the said Governor or used with his knowledge and sanction for the confinement and detention of convicts, or from the custody of any warder, policeman, or constable.

Evidence.

IX. That on the trial, and on any previous examination before a justice or justices of the peace, of any person charged with any offence against this Ordinance, the fact of such offender being a convict shall or may be proved *prima facie* in like manner as is provided by the 7th section of the Ordinance No. 18, of 1853; and that evidence of any person having acted as a warder or other officer of the Convict Department, or as a sentry over a convict or convicts, at any particular time or place, shall be sufficient evidence of such person being a duly appointed warder, officer, or sentry at such time or place, unless sufficient proof shall be given to the contrary.

Death recorded.

X. That judgment of death for any offence against this Ordinance may, instead of being pronounced, be recorded in like manner as is provided by the first section of an Act of Parliament passed in the fourth year of the reign of His late Majesty King George IV., intituled "An Act for enabling courts to abstain from pronouncing sentence of death in certain capital offences."

Transported.

XI. That in all cases in which sentence of death is recorded as aforesaid it shall be lawful for his Excellency the Governor to commute such sentence to transportation for life or for any term not less than seven years, or to hard labour, in or without irons, on any of the roads or public works of the colony, for any term not exceeding seven years, and in addition to either of the aforesaid punishments to award punishment by whipping not exceeding 100 lashes.

XII. That this Ordinance shall commence and take effect from and immediately after the publication in the Government Gazette of the said colony of a proclamation notifying Her Majesty's assent thereto.

(Signed) CHARLES FITZGERALD,
Governor and Commander-in-Chief

Passed the Legislative Council the 17th day of May 1854.

(Signed) A. O'GRADY LEFROY,
Clerk of the Council.

NEW ZEALAND.

APPENDIX No. 3.

APPENDIX No. 3.

Secondary Punishment Act, 1854.

In the eighteenth year of the reign of Her Majesty Queen Victoria.

No. 9.

ANALYSIS.

Title.

Preamble.

I. Penal servitude substituted for transportation.

1. Transportation abolished.
2. Penal servitude substituted for transportation.
3. Equivalent terms of servitude for transportation.
4. The court to decide upon one of two or more terms.
5. Not to prevent other punishments being awarded.
6. Penal servitude may in certain cases be substituted for capital punishment.
7. Convicts already under sentence of transportation to be kept in penal servitude.
8. And to be deemed to have been sentenced to penal servitude.

II. Penal servitude, what, and how to be regulated.

9. Penal servitude, what. Convicts not to be assigned.
10. Governor to make Regulations for management of convicts.

III. Escape from penal servitude, how punished.

11. Escape of convicts, how punished.
12. Escape of convicts under sentence for life.
13. Reward for the discovery, &c. of escaped convicts.
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Miscellaneous provisions.

17. Governor may delegate certain powers to superintendent of a province.
18. Convicts under sentence of imprisonment may be employed outside the gaol.
19. Prerogative of mercy not to be affected.
20. Interpretation of the word "Governor."
21. Short Title.

AN ACT to abolish the punishment of transportation, and to substitute penal servitude within the colony in lieu thereof. (Assented to 16th September 1854.)

Title.

WHEREAS by reason of the difficulty of transporting offenders beyond the seas it has become expedient to make temporary provision for the substitution of other punishment in lieu of transportation :

Preamble.

Be it therefore enacted by the General Assembly of New Zealand, as follows :

I. Penal servitude substituted for transportation.

1. On and after the 1st day of January 1855 no person shall be sentenced to transportation. Transportation abolished.
2. Any person who if this Act had not been passed might have been sentenced to transportation shall be liable, at the discretion of the court, to be kept in penal servitude within the colony for such term as herein-after mentioned. Penal servitude substituted for transportation.
3. The terms of penal servitude to be awarded instead of the transportation to which any offender would have been liable if this Act had not been passed shall be as follows ; Equivalent terms of servitude for transportation.
 Instead of transportation for seven years or for a term not exceeding seven years, penal servitude for the term of four years.
 Instead of any term of transportation exceeding seven years and not exceeding ten years, penal servitude for any term not less than four and not exceeding six years.
 Instead of any term of transportation exceeding ten years and not exceeding fifteen years, penal servitude for any term not less than six and not exceeding eight years.
 Instead of any term of transportation exceeding fifteen years, penal servitude for any term not less than six and not exceeding ten years.
 Instead of transportation for the term of life, penal servitude for the term of life.
4. In every case when, at the discretion of the court, one of any two or more terms of transportation herein-before mentioned might have been awarded, the court shall have the like discretion to award one of the two or more terms of penal servitude herein-before mentioned in relation to such terms of transportation. The court to decide upon one of two or more terms.
5. Provided always, that nothing in this Act contained shall interfere with or affect the authority or discretion of any court in respect of any punishment which such court may now award or pass on any offender other than transportation, but when such other punishment may be awarded, at the discretion of the court, instead of transportation or in Not to prevent other punishments being awarded.

APPENDIX No. 3.

Penal servitude may in certain cases be substituted for capital punishment.

Convicts already under sentence of transportation to be kept in penal servitude;

and to be deemed to have been sentenced to penal servitude.

Penal servitude what.

Convicts not to be assigned.

Governor to make regulations for management, &c. of convicts.

Escape of convicts, how punished.

Escape of convicts under sentence for life.

Reward for the discovery, &c. of escaped convicts.

Punishment for rescuing convicts.

addition thereto, the same may be awarded instead of or (as the case may be) in addition to the punishment substituted for transportation under this Act.

6. Whenever the Governor of the colony shall be pleased to extend mercy to any offender convicted of any offence for which he may be liable to the punishment of death, upon condition of his being kept to penal servitude for any term of years or for life, such intention of mercy shall have the same effect and may be signified in the same manner, and all courts, justices, and others shall give effect thereto and to the condition of the pardon, in like manner as in cases where the Governor of the colony is now pleased to extend mercy upon condition of transportation beyond seas, the order for the execution of such punishment as the Governor may have made the condition of mercy being substituted for the order of transportation.

7. And whereas there are divers persons now in custody under sentence or order of transportation who cannot conveniently be sent beyond the seas: Be it therefore enacted, that every person who may be under such sentence or order when this Act shall come into operation shall, instead of being transported for the period for which such person shall have been so sentenced or ordered as aforesaid, be kept in penal servitude within the colony for and during the lowest term herein-before provided, as an equivalent for the period of transportation to which such person may have been sentenced or ordered as aforesaid, such term of penal servitude being computed to commence from the date of the conviction of such person.

8. Every person who shall be kept in penal servitude as last aforesaid shall be deemed to have been sentenced to be kept in penal servitude under this Act.

II. Penal servitude, what, and how to be regulated.

9. Every person, except as herein-after mentioned, who shall be kept in penal servitude, shall during the term of his servitude be employed on the roads or public works, or otherwise be kept to hard labour in such part of the colony of New Zealand as the Governor shall in that behalf direct, and either in irons, or under such other restraint, and subject to such correction, as may be necessary for his safe custody and strict discipline; and, for the purpose of being so employed as aforesaid, every such convict may be removed from place to place, either by sea or land, and may be confined in such public gaol, at such penal station or in such place of confinement, or may otherwise be kept in custody, as the Governor shall from time to time direct. Provided always, that every person who shall have been convicted of any capital offence, and whose punishment shall have been commuted for penal servitude for life, shall be confined in some public gaol in close custody, and be kept to hard labour in separate confinement for the remainder of his life. Provided also, that nothing herein contained shall authorize the Governor to issue any directions or regulations which shall permit the assignment to any person or persons whatsoever of any prisoner so sentenced as aforesaid.

10. It shall be lawful for the governor from time to time to make such rules and regulations as to him shall seem meet, for the employment, safe custody, management, and discipline of the convicts under sentence of penal servitude, and to enforce the observance of such rules and regulations, by solitary confinement for any period or periods not exceeding fourteen days at any one time, and not to be repeated at a less interval than forty-two days, by placing in irons, and by such other prison discipline as may be prescribed in that behalf: Provided always, that no rule or regulation awarding any such punishment as aforesaid shall come into operation until a copy thereof shall have been first published in the New Zealand Government Gazette.

III. Escape from penal servitude, how punished.

11. If any person who shall have been sentenced to be kept in penal servitude for any term other than for life shall be afterwards at large within any part of the colony of New Zealand, without some lawful cause, before the expiration of the term of such servitude, every such offender so being at large, and being thereof lawfully convicted, shall be kept in penal servitude for any term not exceeding five years, to commence and be computed from the expiration of the term of the original sentence.

12. If any male offender who shall have been sentenced to be kept in penal servitude for the term of his life shall afterwards be found at large within any part of the colony of New Zealand, without some lawful cause, every such offender so being at large, and being thereof lawfully convicted, shall be kept in solitary confinement during such periods, not exceeding fourteen days at a time, or three months in the space of one year, as the court shall direct.

13. Whoever shall discover, and prosecute to conviction, or shall give such information as shall lead to the conviction, of any offender being at large contrary to the provisions of this Act, shall be entitled to a reward not exceeding twenty pounds (£20), at the discretion of the judge, for every such offender so being convicted.

14. If any person shall rescue or attempt to rescue, or assist in rescuing or attempting to rescue, any convict under sentence of penal servitude, from the custody of any sheriff, gaoler, overseer, or other person, conveying, removing, transporting, or re-convey-

ing such convict, or if any person shall aid or assist any convict under sentence of penal servitude to escape from the custody of any sheriff, gaoler, overseer, or other person, such person so offending shall, upon conviction thereof, be sentenced to penal servitude for any term not exceeding ten years.

APPENDIX No. 3.

15. In any indictment against any offender for being found at large contrary to the provisions of this Act, and also in any indictment against any person who shall rescue or attempt to rescue, or assist in rescuing or attempting to rescue, any such offender from such custody, or who shall aid or assist any such offender to escape from such custody, it shall be sufficient to charge and allege the sentence or order made for the penal servitude of such offender, without charging or alleging any indictment, trial, or conviction of such offender.

Form of indictment for escape, &c.

16. The certificate in writing under the hand of the registrar or other officer having the custody of the records of the court where such sentence or order of penal servitude shall have been made or recorded, containing the substance of such sentence or order, shall be sufficient evidence thereof, and shall be received in evidence of such sentence or order, upon proof of the signature and official character of the person signing the same.

Proof of previous sentence.

IV. Miscellaneous provisions.

17. It shall be lawful for the Governor, by instructions under his hand, to delegate to the superintendent of any province, on such terms and conditions and subject to such limitations and restrictions as may be prescribed in that behalf, all or any of the powers herein-before reserved to the Governor by the ninth clause of this Act.

Governor may delegate certain powers to superintendent of a province.

18. And whereas it may be expedient that persons in confinement under sentence of imprisonment with hard labour should from time to time be set to work outside the precincts of the place of their imprisonment: Be it enacted and declared, that any person in custody under such sentence as aforesaid may be employed at hard labour beyond the precincts of the gaol in which he may be lodged, any law or usage to the contrary notwithstanding: Provided always, that every such person, notwithstanding such employment, shall, as respects the provisions of the Prisons Ordinance, No. 7, of Sess. 7, be deemed to be within the limits of the gaol in which he shall be lodged.

Convicts under sentence of imprisonment may be employed outside the gaol.

19. Provided always, that nothing herein contained shall in any manner affect Her Majesty's royal prerogative of mercy, or any prerogative of mercy vested in the Governor of the colony for the time being.

Prerogative of mercy not to be affected.

20. In the interpretation of this Act, the word "Governor" shall extend to the officer administering the Government.

Interpretation of the word "Governor." Short Title.

21. This Act shall be termed and may be cited and referred to as "The Secondary Punishment Act, 1854."

In the name of Her Majesty, I assent to this Act.

R. H. WYNARD.

Auckland, 16th September 1854.

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